

# **AGENDA**

and

## **MINUTES of BOARDS and COMMITTEES**

to be considered at the meeting of  
the Council to be held at

**THE COUNCIL HOUSE  
ATHERSTONE**

on

**1 December 2021**

at

**6.30pm**



## North Warwickshire Borough Council

**Steve Maxey** BA (Hons) Dip LG Solicitor  
**Chief Executive**

The Council House  
South Street  
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Date : 23 November 2021

**To: All Members of the Council**

Dear Sir / Madam

You are hereby summoned to attend a meeting of the Council, to be held in the Council Chamber, The Council House, South Street, Atherstone on Wednesday, 1 December 2021 at 6.30pm.

The following business will be transacted:

- 1 Evacuation Procedure.
- 2 Apologies for absence / Members away on official Council business.
- 3 Declarations of Personal or Prejudicial Interest.
- 4 The Mayor to move, in accordance with Standing Order No 6(1):  
**“That the minutes of the Meeting of the Council held on 29 September 2021 be approved as a correct record”**.
- 5 To receive the Mayor’s announcements.
- 6 To answer Questions from Members and the Public pursuant to Standing Order No 7.
- 7 To receive and consider the minutes and notes of the meetings of the  
**Planning and Development Board** – 6 September, 4 October and 1 November 2021 (Pages 308 to 318).  
circulated herewith and to make the necessary Orders thereon.
- 8 To receive and consider the minutes and notes of the meeting of the

**Community and Environment Board** – 11 October 2021 (Pages 319 to 322)

circulated herewith and to make the necessary Orders thereon.

- 9 To receive and consider the minutes and notes of the meeting of the

**Special Sub-Group** – 2 November 2021 (Page 323)

circulated herewith and to make the necessary Orders thereon.

- 10 To receive and consider the minutes and notes of the meeting of the

a **Resources Board** – 8 November 2021 (Pages 324 to 327)

circulated herewith and to make the necessary Orders thereon.

To receive and consider the recommendations of the meeting of the

b **Resources Board** – 8 November 2021

To approve a capital budget of £465,000 to cover the cost of all necessary surface improvements, capacity increases, charging infrastructure and signage ahead of the implementation of the new PPO and Schedule(s) – Appendix A

circulated herewith and to make the necessary decisions thereon.

- 11 To receive and consider the minutes and notes of the meeting of the

a **Executive Board** – 22 November 2021 (Pages to 328 - 331)

circulated herewith and to make the necessary Orders thereon.

To receive and consider the recommendation of the meeting of the

b **Executive Board** – 22 November 2021

i Calendar of Meetings 2022/23 – To consider a calendar of meetings for 2022/23 – Appendix B.

ii Budgetary Control Report 2021/22 Period Ended 31/10/21 – To consider if any further information is required – Appendix C;

iii Appointment of External Auditors - To consider the acceptance of the invitation from Public Sector Audit Appointments to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023 – Appendix D; and

iv Board Membership Changes – To consider that the changes to the membership of the Health and Wellbeing Party set out in the report be approved – Appendix E.

circulated herewith and to make the necessary decisions thereon.

12 **Exclusion of the Public and Press**

**To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

13 To receive and consider the confidential extract of the minutes of the Meeting of the Council held on 29 September 2021 (Page 333 to 334).

14 To receive and consider the confidential extract of the minutes and notes of the  
**Planning and Development Board - 4 October 2021 (Page 335 to 337)**

circulated herewith and to make the necessary Orders thereon.

15 To receive and consider the confidential extract of the minutes and notes of the

a **Executive Board – 22 November 2021 (Page 338)**

circulated herewith and to make the necessary Orders thereon.

To receive and consider the recommendations of the meeting of the

b **Executive Board – 22 November 2021**

Member approval of absence - That it approves the reasons for non-attendance of a Member under Section 85 of the Local Government Act 1972 – Appendix F).

circulated herewith and to make the necessary decisions thereon

13 To authorise the Chief Executive, in accordance with Article 13.05 of the Articles of the Constitution, to Sign and Seal, on behalf of the Council, any Orders, Deeds and Documents necessary to give effect to any resolution of the Council.

Yours faithfully



Chief Executive

**MINUTES OF THE ANNUAL MEETING OF THE  
NORTH WARWICKSHIRE BOROUGH COUNCIL  
HELD AT THE COUNCIL HOUSE  
ON WEDNESDAY 29 SEPTEMBER 2021**

Present: Councillor D Wright in the Chair

Councillors Bell, Chambers, D Clews, A Clews, Davey, Dirveiks, Farrow, Gosling, Hancocks, Hayfield, D Humphreys, M Humphreys, Jarvis, Jordan, Lees, Macdonald, McLauchlan, Morson, Moss, Parker, Parsons, H Phillips, O Phillips, Reilly, Rose, Simpson, Singh, S Smith and Symonds.

Apologies for absence were received from Councillors Jenns, Osborne, L Smith and A Wright.

**23 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**24 Minutes of the Annual Meeting of Council held on 28 July 2021**

The minutes of the Annual Meeting of the Council held on 28 July 2021 were approved as a correct record and signed by the Mayor.

**25 Mayor's Announcements**

The Mayor announced the following

- that Atherstone would be hosting the Women's Cycle Tour for the fourth time on 6 October 2021;
- that Robert Beggs, Policy Support Manager would be retiring from the Council in October after over 40 years of dedicated service. The Mayor wished to place on record his thanks to Robert for all the work undertaken during his time with North Warwickshire and asked Members to join him in wishing him well for a long and happy retirement.

**26 Questions Pursuant to Standing Order No. 7**

The following question was received from Wayne Gibbons pursuant to Standing Order No 7:-

"With respect to the letter sent by North Warwickshire Borough Council on the 16th September 2021 regarding the AJ Bell Women's Tour 2021-Wednesday 6th October. A quotation from Councillor David Wright states that the event "will provide a fantastic boost to the local area". The letter goes on to assert that the event will bring "important benefits" to Atherstone.

What metric is used by North Warwickshire Borough Council to assess boosts and/or benefits?

How, when and where is data collected to support the statements contained in the letter?

Finally, assuming that you can quantify the effects of this event, how does it compare to other events held in Atherstone, which aren't held in the middle of a working week and appear to have more community involvement?"

### **The response from Councillor David Wright, Leader, North Warwickshire Borough Council**

"I am grateful for the interest being shown by the public in the AJ Bell Women's Time Trials being hosted in Atherstone on Wednesday 6th October.

I believe the event will be a boost for the local area not least as there has never been a time trial in the history of the Women's Tour and Atherstone is therefore hosting the prime event of this year's tour. This view is based on metrics but also longer term factors that cannot be directly measured. For example, a report on a previous occasion that Atherstone was involved in the Women's Tour stated that 15,000 people attended the event with a net visitor additional spend of over £270,000. 92% of those attending rated the event as 'very good' and 62% said it would inspire them to cycle more often.

Given the national and international focus of this event there is not a meaningful way of comparing them with other, much liked events held in Atherstone. As with previous years we do not have a say on which day the Women's Tour comes to Atherstone but even midweek a return of over £270,000 for our modest investment into the event represent a good return."

## **27 Recommendations of Executive Board held on 20 September 2021**

The Council was asked to consider the recommendations of Executive Board held on 20 September and to make the necessary decisions thereon:

- a That the recommendations in relation to the detailed budget approach for the 2022/23 General Fund Budget, as outlined in pages 30 to 46, be approved and adopted; and**
- b That the recommendation to adopt the Local Plan, as detailed in pages 47 to 280, be approved and adopted.**

In accordance with Standing Order No11(3) the recorded vote on Minute No 27(b) was as follows:

**For** – Councillors Bell, A Clews, D Clews, Davey, Hancocks, Hayfield, D Humphreys, M Humphreys, Jarvis, Jordan, Lees, Macdonald, Moss, Parker, Reilly, Simpson, Singh, S Smith, Symonds and D Wright (20)

**Against** – Councillors Chambers, Dirveiks, Farrow, Gosling, McLauchlan, Morson, Parsons, H Phillips, O Phillips and Rose (10)

28 **Minutes of Boards/Committees**

a) **Planning and Development Board – 14 July and 2 August 2021**

It was proposed by Councillor Simpson, seconded by Councillor Moss and

**Resolved:**

**That the minutes of the meetings of the Planning and Development Board held on 14 July and 2 August 2021, be approved and adopted.**

b) **Special Sub-Group – 10 August and 14 September 2021**

It was proposed by Councillor D Clews, seconded by Councillor Symonds and

**Resolved:**

**That the minutes of the meeting of the Special Sub-Group held on 10 August and 14 September 2021, be approved and adopted.**

c) **Executive Board – 20 September 2021**

It was proposed by Councillor D Wright and seconded by Councillor Symonds and

**Resolved:**

**That the minutes of the meeting of the Executive Board held on 20 September 2021, be approved and adopted.**

d) **Resources Board – 21 September 2021**

It was then proposed by Councillor Symonds and seconded by Councillor D Clews and

**Resolved:**

**That the minutes of the meeting of Resources Board held on 21 September 2021, be approved and adopted.**

29 **Exclusion of the Public and Press**

**Resolved:**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**30 To Receive and Consider the Confidential Extract of the minutes of the Meeting of the Council held on 28 July 2021**

It was proposed by Councillor D Wright, seconded by Councillor A Clews and

**Resolved:**

**That the confidential extract of the minutes of the Meeting of the Council held on 28 July 2021, together with the recommendations therein, be approved and adopted.**

**31 To Receive and Consider the Confidential Extract of the Minutes of the Special Sub-Group held on 14 September 2021**

It was proposed by Councillor D Clews and Councillor D Wright and

**Resolved:**

**That the confidential extract of the minutes of the Special Sub Group held on 14 September 2021, together with the recommendations therein, be approved and adopted.**

**32 To Receive and Consider the Confidential Extract of the minutes of the Executive Board held on 20 September 2021**

It was proposed by Councillor D Wright and seconded by Councillor D Bell and

**Resolved:**

**That the confidential extract of the minutes of the Executive Board, held on 20 September 2021, together with the recommendations contained therein, be approved and adopted.**

**33 Common Seal**

It was proposed by Councillor D Wright and seconded by Councillor Bell.

**Resolved:**

**That the Chief Executive be authorised to affix the Common Seal to any document as necessary to give effect to the decisions of the Council, in accordance with Article 13.05 of the Articles of the Constitution.**

**Chairman of the next ensuing meeting  
of the Council**

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
PLANNING AND DEVELOPMENT BOARD**

**6 September 2021**

Present: Councillor Simpson in the Chair

Councillors Bell, T Clews, Dirveiks, Hancocks, Hayfield, D Humphreys, M Humphreys, Macdonald, Morson, Moss, H Phillips and Rose.

Apologies for absence were received from Councillors Deakin, Jarvis and Lees (Sub M Humphreys).

Councillors Chambers and D Clews were also in attendance.

**11 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**12 Minutes**

The minutes of the meeting of the Planning and Development Board held on 2 August 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

**13 Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

**Resolved:**

- a That Application No PAP/2021/0394 (6 Boulters Lane, Wood End, Atherstone, CV9 2QE) be approved, subject to the conditions set out in the report of the Head of Development Control;**
- b That Application No PAP/2019/0679 (Land Opposite Delves Field Stables, Boulters Lane, Wood End, CV9 2QF) be deferred for re-consultation on an amended scheme that had been submitted;**
- c That Application No PAP/2021/0250 (Land to rear of 1-3, Birmingham Road, Ansley, CV10 9PS) the Board was notified that application had been withdrawn;**
- d That Application No PAP/2021/0490 (1 - 36 & 37 - 66 Alexandra Court, Princess Road, Atherstone,**

Warwickshire, CV9 1LB) be approved, subject to a condition referring to the receipt of amended plans;

- e That Application No PAP/2021/0354 (Land Adjacent 54, Moor Road, Hartshill) be deferred with a request for a more detailed investigation of the tree to be submitted;

[Speaker: Simon Pearson]

- f That Application No PAP/2021/0355 (Land To The Rear Of 32 To 52, Chestnut Grove, Coleshill) be deferred in order to request further information about alternative solutions;

- g That Application No PAP/2021/0254 (72, Church Road, Hartshill, Nuneaton, CV10 0LY) be approved, subject to the conditions set out in the report of the Head of Development Control;

- h That Application No PAP/2018/0050 (Fir Tree Paddock, Quarry Lane, Mancetter) be deferred in order that further information could be sought on highway and access matters; and

- i That Application No PAP/2021/0288 (Kings Orchard, Church Lane, Curdworth, B76 9EY) be approved, subject to the conditions set out in the report of the Head of Development Control but also subject to an amended plan showing reduced ground levels.

[Speaker: Ranjit Sagoo]

#### 14 Public Sector Infrastructure

The report advised the Board of a new statutory duty in respect of public sector infrastructure planning applications.

**Resolved:**

**That the report be noted.**

#### 15 The National Planning Policy Framework

The Report introduced the new Framework to the Board outlining the main changes.

**Resolved:**

**That the report be noted.**

**16 Support for South Staffordshire Council's approach to unmet housing needs and its alignment with the existing GBHMA evidence base**

The report sought Members' agreement for support towards South Staffordshire District Council's approach to unmet housing needs and its alignment with the existing GBHMA evidence base, including addressing a significant element of Birmingham's unmet need.

**Resolved:**

**a That the report be noted.**

**b That observations or comments by Members be noted.**

**17 Appeal Update**

The report brought Members up to date with recent appeal decisions.

**Resolved:**

**That the report be noted.**

Councillor Simpson  
Chairman

**Planning and Development Board**

**6 September 2021**

**Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/c	PAP/2021/0250	Applicant	E-mail	26/8/21
5/d	PAP/2021/0490	Applicant	E-mail	20/8/21
		Applicant	E-mail	27/8/21
		Applicant	E-mail	30/8/21
5/h	PAP/2019/0050	Case Officer	E-mail	2/9/21
5/i	PAP/2021/0288	Local Resident	Objection	4/9/21
		Local Resident	Objection	4/9/21

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

4 October 2021

Present: Councillor T Clews in the Chair

Councillors D Clews, Dirveiks, Hancocks, D Humphreys, M Humphreys, Jarvis, Morson, Moss, H Phillips, Parker, Rose and S Smith.

Apologies for absence were received from Councillors Bell (Sub M Humphreys), Hayfield, Lees (Sub S Smith), Macdonald (Sub Parker), Parsons and Simpson (Sub D Clews)

#### 18 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

#### 19 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 6 September 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 20 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

##### **Resolved:**

- a **In respect of Application No PAP/2021/0009 (The Folly – Sykes Barns, Church Lane, Corley, CV7 8BA) it was proposed by Councillor D Humphreys and Seconded by Councillor Rose that the application be deferred for a site visit.**

**On being put to the vote, the amendment was lost.**

**It was proposed by Councillor Jarvis and seconded by Councillor H Phillips that the application be refused for the following reasons:**

**It is not considered that the development accords with policies LP31(6) of the North Warwickshire Local Plan 2021 as supported by paragraphs 110 and 111 of the National Planning Policy Framework 2021. This is because the whole structure materially reduces the availability of useable car parking and turning space on the site and the**

height of the entrance feature further reduces access into the car park beyond. There is thus a significant risk of on-street car parking together with manoeuvring and turning in the highway. approved, subject to the conditions set out in the report of the Head of Development Control;

On being put to the vote the recommendation was approved.

It was proposed by Councillor H Phillips, Seconded by Councillor Morson and approved that:

An Enforcement Notice be served for the reasons outlined in the report of the Head of Development Control.

[Speaker: Tom Sykes]

- b That Application No PAP/2021/0412 (Rosne, Sandy Lane, Fillongley, Coventry, CV7 8DD) be refused for the reasons set out in the report of the Head of Development Control.

21 **Exclusion of the Public and Press**

**Resolved:**

That under Section 100a(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.

22 **Blabers Hall Farm, Green End, Fillongley**

The Head of Development Control provided an outline of enforcement issues at Blabers Hall Farm, Green End, Fillongley and recommended a way forward.

**Resolved:**

- a That the Solicitor to the Council be authorised to issue a Temporary Stop Notice under s 171E of the Town and Country Planning Act 1990 in respect of the unauthorised engineering operations taking place on the land namely:- The unauthorised engineering operations, including the formation of bunds, alterations to the levels of the land by a cut and fill operation and screening of materials, and the export of the inert materials (on land to the south of the farmhouse);

- b To correspond with the expiry of the Temporary Stop Notice, that the Solicitor to the Council be authorised to issue two Enforcement Notices, (Notices number 1 & 2,) under s172 of the Town and Country Planning Act 1990 in respect of: -**
- c The first Enforcement Notice (Notice 1) unauthorised engineering operations, including the formation of bunds, alterations to the levels of the land, by a cut and fill operation and screening of materials, and export of inert materials extracted, on land at Blabers Hall Farm, Green End Road Fillongley (on land to the south of the farmhouse);**
- d The second Enforcement Notice (Notice 2) the unauthorised change of use of the land to a mixed use of agriculture and for the storage of civil engineering equipment, items of plant, associated materials, containers skips and other associated items.” (land to the south of the farmhouse);**
- e Notice 1 will require the cessation of all engineering operations, including the formation of bunds, alterations to the levels of the land by a cut and fill operation and screening of materials, and export of inert materials extracted, giving a 28-day period for compliance with terms of the Notice;**
- f Notice 2 will require the cessation of the unauthorised use of the land to a mixed use of agriculture and for the storage of civil engineering equipment, item of plant, associated materials, containers skips and other associated items, giving a four-month period for compliance;**
- g That the Solicitor to the Council be authorised to initiate prosecution proceedings under 179 of the Town and Country Planning Act 1990, should either or both Notices numbers 1 and 2 not be complied with;**
- h That recommendations h – j, as set out in the report of the Head of Development Control be approved.**

23 **The Bromford Tunnel and the Bromford Tunnel Portal**

The Head of Development Control set out changes which were proposed to the HS2 railway infrastructure and suggested an approach to this.

**Resolved:**

**That recommendations a and b, as set out in the report of the Head of Development Control be approved.**

Councillor Simpson  
Chairman

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

1 November 2021

Present: Councillor T Clews in the Chair

Councillors Bell, Deakin, Dirveiks, D Humphreys, M Humphreys, Hayfield, Jarvis, Jordan, Macdonald, Morson, Parsons, H Phillips, Rose and Symonds.

Apologies for absence were received from Councillors Hancock (Sub M Humphreys), Lees (Sub Jordon), Moss and Simpson (Sub Symonds).

#### 23 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

#### 24 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 4 October 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

#### 25 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

##### **Resolved:**

- a **That Application No PAP/2021/0511 (1 - 17, St Leonards Close, Dordon, B78 1RP) be approved, subject to the conditions set out in the report of the Head of Development Control;**
- b **That Application No CON/2021/0023 (Land north of Little Wigston, Appleby Magna, Derby,) the Council raised no objection to the proposal but requested that consideration be given to the best means to restrict the use of HGV's on the surrounding highway in North Warwickshire;**
- c **That Application No PAP/2020/0086 and PAP/2020/0087 (Beech House, 19 Market Street, Atherstone, CV9 1ET) be approved as per the recommendation but conditions to be added to cover the construction of the car parking and turning areas, the position of the gates and visibility at the junction and subject to the conditions set out in the report of the Head of Development Control;**

- d That Application No PAP/2017/0340 (Land Between, Rush Lane and Tamworth Road, Cliff,) be refused for the reasons set out in the report of the Head of Development Control; and

[Speakers: Peter Lever and Greg Mitchell]

- e That Application No PAP/2019/0679 (Land Opposite Delves Field Stables, Boulters Lane, Wood End, CV9 2QF) be refused for the reasons set out in the report of the Head of Development Control.

[Speaker: Janet Hudson]

26 **Appeal Update**

The report brought Members up to date with recent appeal decisions.

**Resolved:**

That the report be noted.

27 **Exclusion of the Public and Press**

**Resolved:**

**That under Section 100a(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

28 **Confidential Minutes of the Planning and Development Board meeting held on 4 October 2021**

That the confidential minutes of the Planning and Development Board meeting held on 4 October 2021 were received and noted.

Councillor Simpson  
Chairman

**Planning and Development Board**

**1 November 2021**

**Additional Background Papers**

Agenda Item	Application Number	Author	Nature	Date
5/d	PAP/2017/0340	Kingsbury Pallets	Objection	01/11/21
5/e	PAP/2019/0679	Applicant	Additional Note	29/10/21

## NORTH WARWICKSHIRE BOROUGH COUNCIL

MINUTES OF THE  
COMMUNITY AND ENVIRONMENT BOARD

11 October 2021

Present: Councillor Bell in the Chair.

Councillors Chambers, Gosling, M Humphreys, Jenns, Jordan, Parker, H Phillips, Macdonald, McLauchlan, Rose, L Smith, S Smith and A Wright.

Councillor D Humphreys was also in attendance.

**12 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**13 Minutes of the Meeting of the Board held on 26 July 2021**

The minutes of the meeting held on 26 July 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

**14 Budgetary Control Report 2021/22 Period Ended 31 August 2021**

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April to 31 August 2021. The 2021/22 budget and the actual position for the period, compared with the estimate at that date were given, together with an estimate of the out-turn position for services reporting to the Board.

**Resolved:**

- a That the report be noted.**
- b That a further report be brought to a future meeting of the Board on the impact of the Covid 19 pandemic on the Refuse and Recycling Service, the recovery of the service and the effect of the HGV driver shortage.**

**15 Leisure Facilities: Service Improvement Plan**

The Director of Leisure and Community Development sought consideration of the Service Improvement Plan (SIP), which detailed activity through to the end of August 2021, through which the Board had agreed to monitor the operational performance of the leisure facilities at each of its meetings.

**Resolved:**

- a That the progress made against the requirements identified in the approved 2021/22 Leisure Facilities Service Improvement Plan, through which operational performance was monitored, be noted; and
- b That authority be delegated to the Director of Leisure and Community Development, in consultation with the Chairman, Vice-chairman and Opposition Spokesperson for the Board, to amend the Christmas / New Year opening hours of the leisure facilities, subject to there being no significant adverse implications for levels of community use of the centres.

**16 Queen's Platinum Jubilee Celebratory Grant Scheme**

The Director of Leisure and Community Development proposed the development and delivery of a scheme of financial assistance for community-based activities organised to celebrate the Queen's Platinum Jubilee.

**Resolved:**

**That the use of monies from the One-Off Growth Fund to provide celebratory Queen's Platinum Jubilee grants in the manner identified in the report be approved, and that the proposed action to engage in the Queen's Green Canopy programme be undertaken by the Director of Leisure and Community Development, in consultation with the Chairman, Vice-chairman and Opposition Spokesperson for the Board.**

**17 North Warwickshire Green Space and Playing Pitch Strategies - Progress Report**

The Director of Leisure and Community Development informed Members of the progress made in respect of delivery against the priorities set out in the North Warwickshire Green Space Strategy (2020 to 2033) and the adopted Playing Pitch Strategy (2018 to 2031).

**Resolved:**

- a That the progress made in respect of the implementation of the priorities of the North Warwickshire Green Space Strategy (2020 to 2033) and the Playing Pitch Strategy (2018 to 2031) be noted;
- b That the principle of the Borough Council entering into a long-term (30 year) lease agreement with Atherstone Sports Club, through which it could assume responsibility for the management and maintenance of part of Royal Meadow Drive Recreation Ground, Atherstone, be approved, prior to consideration of this matter at a future meeting of the Resources Board; and

- c That the principle of the Authority entering into a Licence Agreement with Shuttington Parish Council, through which it could assume responsibility for the management and maintenance of a wildflower meadow on Borough Council-owned land in Milner Drive, Shuttington, be approved, prior to the Chief Executive giving consideration to the use of his urgent business powers to grant the Licence and the subsequent reporting of this matter to a future meeting of the Resources Board.**

## **18 Health and Wellbeing Action Plan**

The Director of Leisure and Community Development provided Members with an update on the progress being made in respect of the actions identified in the approved Health and Wellbeing Action Plan (2020 to 2023).

### **Resolved:**

- a That the progress made in respect of the delivery of those commitments identified in the Health and Wellbeing Action Plan (2020 to 2023) be noted; and**
- b That a report on the Indigo Scheme be brought to a future meeting of the Board; and**
- c That the Health and Wellbeing Working Party be asked to review the work being undertaken by partners in respect of teenage conceptions and the Definitive Rights of Way network.**

## **19 Minutes of the Health and Wellbeing Working Party Meeting held on 16 September 2021**

The minutes of the Health and Wellbeing Working Party meeting held on 16 September 2021 were received and noted.

## **20 In-cab Technology**

The Corporate Director – Streetscape asked Members to approve the purchase and introduction of in-cab technology for waste and recycling collection vehicles.

### **Resolved:**

- a That the purchase and implementation of in-cab technology for all waste and recycling collection vehicles be approved, on the condition that it is within the allocated budget; and**
- b That if further budget is required it will be referred to a future meeting of the Resources Board; and**
- c That the Climate Change Group take up the issue of the reduction in carbon emissions.**

21 **Exclusion of the Public and Press**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act, namely it is likely to reveal the identity of an individual.**

22 **Confidential Minutes of the Community and Environment Board meeting held on 26 July 2021**

The confidential minutes of the Community and Environment Board meeting held on 26 July 2021 were received and noted.

Margaret Bell  
Chairman

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE SPECIAL SUB-GROUP**

**2 NOVEMBER 2021**

Present: Councillor Jenns in the Chair

Councillors T Clews, Hancocks, Jarvis and Parsons.

Apologies for absence were received from Councillors D Clews (Substitute T Clews), Hayfield (Substitute Jarvis) and L Smith (Substitute Hancocks)

**13 Appointment of Chairman**

**It was proposed by Councillor Jarvis, seconded by Councillor T Clews and agreed that Councillor Jenns Chair the meeting.**

**14 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**15 Extension of Temporary Contract**

The Corporate Director – Resources sought approval for an extension to the temporary contract of the Financial Inclusion Support Officer.

**Resolved:**

**That the contract of the Financial inclusion Support Officer be extended from 1 April 2022 to 31 March 2023.**

CHAIRMAN

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
RESOURCES BOARD**

**8 NOVEMBER 2021**

Present: Councillor Symonds in the Chair

Councillors A Clews, D Clews, Davey, Dirveiks,  
D Humphreys, M Humphreys, Jenns, Morson, O Phillips and  
Reilly.

Apologies for absence were received from Councillors Deakin, Lees  
(Substitute Jenns), Moss (Substitute Reilly) and Simpson (Substitute M  
Humphreys)

**17 Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

**18 Minutes of the Resources Board held on 8 November 2021**

The minutes of the Resources Board held on 8 November 2021, copies having  
been previously circulated, were approved as a correct record and signed by  
the Chairman.

**19 Atherstone Sports Club and Royal Meadow Drive Recreation Ground**

The Director of Leisure and Community Development reported on a request  
from Atherstone Sports Club to enter into a long-term lease in respect of its  
management, development, maintenance and use of part of Royal Meadow  
Drive Recreation Ground, Atherstone, further to the matter having received the  
initial consideration of the Community and Environment Board at its meeting  
held in October 2021.

**Resolved:**

**That the request from Atherstone Sports Club to enter into a long-  
term lease in respect of its management, development,  
maintenance and use of part of Royal Meadow Drive Recreation  
Ground be approved, and that the terms of the draft lease, as  
attached at Appendix B to the report of the Director of Leisure and  
Community Development, be used as a basis for negotiation of the  
final agreement with the Sports Club.**

## 20 **Housing Task and Finish Group**

The Director of Housing provided feedback from the first two meetings of the Housing Task and Finish Group which had been established to consider the Council's landlord services.

### **Resolved:**

- a That the proposed purpose of the Housing Task and Finish Group was agreed; and**
- b The Terms of Reference for the Group, attached as Appendix A to the report, were approved.**

## 21 **Parking**

The Corporate Director – Streetscape updated Members on the consultation responses received to the revised Parking Places Order and associated Schedule(s) covering all the Borough Council owned and operated off-street car parks. The revised Order and Schedule(s), which had been consulted on, proposed the introduction of parking charges across all Council car parks with a minimum charge free period of one hour. Members were asked to review the consultation responses and to decide on any subsequent changes to either the Parking Places Order or Schedule(s) in advance of the implementation of Civil Parking Enforcement (CPE) on 1 February 2022.

### **RESOLVED:**

**It was proposed by Councillor Morson and Seconded by Councillor O Phillips that recommendations (a) – (d) as set out in the report of the Corporate Director – Streetscape be refused**

**On being put to the vote, the amendment was lost.**

**It was proposed by Councillor D Humphreys, seconded by Councillor Reilly and RESOLVED:**

- a That the final wording of the revised Parking Places Order and associated Schedule(s) set out in the appendices to this report be endorsed;**
- b That delegated authority be given to the Solicitor to the Council (provided there are no substantive changes) to make, publish and implement the Order and Schedule(s) in line with The Local Authorities' Traffic Orders (Procedure (England and Wales) Regulations 1996 once all necessary consultations have concluded;**

- c That further reports be brought to the Board on a regular basis setting out the Council's proposed approach to season ticket provision and overnight resident parking permits and that a comprehensive review of off-street parking and the impact of CPE be undertaken after twelve months; and**

#### **Recommendation to Council**

- d That Council approves a capital budget of £465,000 to cover the cost of all necessary surface improvements, capacity increases, charging infrastructure and signage ahead of the implementation of the new PPO and Schedule(s).**

#### **22 Internal Audit Half Yearly Report**

The Corporate Director – Resources provided an update on the progress of the Council's Internal Audit function against the agreed plan of work for the year and provided the Board with a summary of the work completed by the Council's Counter Fraud Officer.

##### **Resolved:**

**That the progress against the approved plan, attached at Appendices A and B of the report of the Corporate Director – Resources, and the work of the Counter Fraud Officer be noted.**

#### **23 General Fund Budgetary Control Report 2021/22 Period Ended 30 September 2021**

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April 2021 to 30 September 2021. The 2021/22 budget and the actual position for the period, compared with the estimate at that date, were given, together with an estimate of the out-turn position for services reporting to the Board.

##### **Resolved:**

**That the report be noted.**

#### **24 Housing Revenue Account Budgetary Control Report 2021/2022 Period Ended 30 September 2021**

The Corporate Director – Resources reported on the total Housing Revenue Account revenue expenditure and income for the period from 1 April to 30 September 2021.

##### **Resolved:**

**That the report be noted.**

**25 Capital Programme 2021/22 Period 6 Update**

The Corporate Director – Resources updated Members on the progress of the 2021/22 Capital Programme in terms of expenditure up to the end of September 2021.

**Resolved:**

**That the merging of the Innage Park Cladding and Pavilions Roof schemes, referred to in paragraph 5.3 of the report of the Corporate Director – Resources, be approved.**

**26 Treasury Management Update 2021/22**

The Corporate Director – Resources detailed the Treasury Management activity for the period up to the end of September 2021.

**Resolved:**

**That the Treasury Management activity for the period up to the end of September 2021 be noted.**

C Symonds  
Chairman

**NORTH WARWICKSHIRE BOROUGH COUNCIL**

**MINUTES OF THE  
EXECUTIVE BOARD**

**22 November 2021**

Present: Councillor D Wright in the Chair

Councillors Chambers, D Clews, Deakin, Gosling, Hayfield, D Humphreys, Jenns, Morson, Reilly, Simpson and Symonds.

Apologies for absence were received from Councillor Bell (Substitute Councillor D Clews).

**30 Declarations of Personal or Prejudicial Interest**

None were declared at the meeting.

**31 Minutes of the Executive Board held on 20 September 2021**

The minutes of the meeting of the Board held on 20 September 2021, copies having been circulated, were approved as a correct record and signed by the Chairman.

**32 Calendar of Meetings 2022/2023**

The Chief Executive sought Members' approval for a calendar of meetings for 2022/23.

**Recommended:**

**That the draft calendar of meetings for 2022/23, attached at Appendix A to the report of the Chief Executive, be approved.**

**33 Budgetary Control Report 2021/22 Period Ended 31 October 2021**

The Corporate Director – Resources reported on the revenue expenditure and income for the period from 1 April 2021 to 31 October 2021. The 2021/22 budget and the actual position for the period, compared with the estimate at that date were given, together with an estimate of the out-turn position for services reporting to the Board.

**Recommended:**

**That the report be noted.**

34 **Draft Economic Development Strategy**

The Chief Executive sought approval of a Draft Economic Development Strategy for consultation.

**Resolved:**

**That an Internal Working Party be established consisting of four Members of the Conservative Group and two Members of the Labour Group and a further report be brought back to the Board.**

35 **Outreach Budget**

The Corporate Director - Resources reported on the community hubs currently supported by the Council through the Outreach budget and proposed a way forward.

**Resolved:**

- a That the post of Community Projects Officer be removed from the establishment; and**
- b That the remaining community hubs be notified that financial support will cease after 2021/22.**

36 **Corporate Plan Performance Update**

The Chief Executive asked the Board to note the Corporate Plan Performance Update and identify any areas where further information is required.

**Resolved:**

- a That the report be noted; and**
- b That the Performance Working Group meet to consider areas where further consideration is needed.**

37 **Appointment of External Auditors**

The Corporate Director Resources set out proposals for appointing the external auditor for the audit of the Council's accounts for the five-year period from 2023/24.

**Recommended:**

**That the invitation from Public Sector Audit Appointments to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023 be approved.**

**38 Local Land Charge, Planning and Enforcement IT System Upgrades**

The Head of Development Control sought financial provision for the upgrade of the Land Charges and Planning and Enforcement IT Systems.

**Resolved:**

**That Capital Budget Resources of £32,550 be allocated for the upgrade of the Local Land Charges System and Planning and Enforcement Systems as set out in the report of the Head of Development Control**

**39 Board Membership Changes**

The Chief Executive asked the Board to recommend changes to the membership of the Health and Wellbeing Working Party.

**Recommended:**

- a That Councillor Macdonald be replaced by Councillor Hancocks on the Health and Wellbeing Party; and**
- b That Councillor M Humphreys becomes the Chair of the Health and Wellbeing Party, and Councillor S Smith the Vice-Chair.**

**40 Exclusion of the Public and Press**

**Resolved:**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**41 Approval of Absence Report**

The Chief Executive and Monitoring Officer asked the Board to recommend to Council that the absence of a Councillor from the requirement to attend meetings, as set out in their report, be approved.

**Recommended:**

**That the reasons for non-attendance under Section 85 of the Local Government Act 1972 be granted, as set out in the report of the Chief Executive and Monitoring Officer, and the absence be approved.**

42 **Confidential Extract of the Minutes of the of Executive Board held on 20 September 2021**

The confidential extract of the minutes of the Executive Board held on 20 September 2021, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

David Wright  
CHAIRMAN

**Agenda Item No 12**

**Full Council**

**1 December 2021**

**Report of the  
Chief Executive**

**Exclusion of the Public and Press**

**Recommendation to the Board**

**To consider whether, in accordance with Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**Agenda Item No 13**

**Extract from Full Council minutes – 29 September 2021**

Paragraph 1 – Information relating to an individual

Paragraph 2 - Information which is likely to reveal the identity of an individual.

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

**Agenda Item No 14**

**Extract from Planning and Development Board minutes – 4 October 2021**

Paragraphs 5 and 6 – by reason of information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and the need to consider the making of an order.

**Agenda Item No 15**

**Extract from Executive Board minutes – 22 November 2021**

Paragraph 1 – Information relating to an individual

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The contact Officer for this report is Clive Tobin (719251).

Agenda Item No 8

Resources Board

8 November 2021

Report of the Corporate Director -  
Streetscape

Parking

1 Summary

- 1.1 This report updates Members on the consultation responses to the revised Parking Places Order and associated Schedule(s) covering all the Borough Council owned and operated off-street car parks. The revised Order and Schedule(s) which were consulted on proposed the introduction of parking charges across all Council car parks with a minimum charge free period of one hour. Members are asked to review the consultation responses and to decide on any subsequent changes to either the Parking Places Order or Schedule(s) in advance of the implementation of Civil Parking Enforcement (CPE) on 1 February, 2022.

**Recommendation to the Board**

- ...
- a That the Board endorses the final wording of the revised Parking Places Order and associated Schedule(s) set out in the appendices to this report;
  - b That the Board gives delegated authority to the Solicitor to the Council (provided there are no substantive changes) to make, publish and implement the Order and Schedule(s) in line with The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 once all necessary consultations have concluded; and
  - c That further reports be brought to the Board on a regular basis setting out the Council's proposed approach to season ticket provision and overnight resident parking permits and that a comprehensive review of off-street parking and the impact of CPE is undertaken after twelve months.

**Recommendation to Council**

- d That the Council approves a capital budget of £465,000 to cover the cost of all necessary surface improvements, capacity increases, charging infrastructure and signage ahead of the implementation of the new PPO and Schedule(s).

## **2 Consultation**

- 2.1 The proposed Parking Places Order and associated Schedule(s) have been out to public consultation from 8 July, 2021 until 20 August, 2021. The initial statutory consultation period was extended by three weeks to enable Parish and Town Councils whose meeting cycles fell outside the initial consultation period to submit formal responses for consideration. In total, 474 responses were received and those have been collated and placed in each Group room for Members' information. A summary of the responses is set out in the main body of the report. The outcome of the consultation process has been reviewed by the Parking Task and Finish Group and the Group's recommendations are detailed below.
- 2.2 Under the Road Traffic Regulation Act 1984, the Borough Council is required to submit a draft of the order to the County Council, who (without prejudice to their power to give or withhold consent to the making of the order) may require such modifications of the terms of the proposed order as they think appropriate. The Borough Council may not enact the Order without the consent of the County Council. The County Council will consider the final draft of the Order approved by this Board on or around 10 December, 2021. Should the County Council propose any substantive modifications to the Parking Places Order a further report setting out the proposed changes will be brought back to this Board. It is recommended that delegated authority be given to the Solicitor to the Council to undertake all necessary measures to bring the Order in to force with effect from 1 February, 2022 in the event that no amendments are proposed by the County Council, or if any amendments proposed are purely typographical, grammatical or relate to the layout, and do not alter the nature or effect of the Order.

## **3 Consultation Responses**

- 3.1 The majority of the 474 consultation responses objected to the proposal to introduce charges for off-street parking in the Council's car parks. About half of respondents simply objected to the proposals without explanation. Of those who specified their reasons for objecting, the following sets out the main areas of concern:

### **3.1.1 Parking Displacement**

Around three quarters of these objectors stated that cars would park in nearby residential streets rather than pay to park, causing traffic disruption to local residents.

### **3.1.2 Effect on Trade**

Around two thirds of the objections stated that the proposals would affect trade in the areas where parking charges were to be made.

They would affect all shops, but especially those that relied on browsing such as charity shops, hospitality venues such as cafes, food outlets and pubs.

Many objectors stated that they would go elsewhere where parking was free, such as Ventura Park.

They also stated that the charges would kill the towns resulting in them going the way that Nuneaton, Bedworth or Tamworth have gone.

### **3.1.3 Residents**

Approximately half of the respondents asked what would happen to local residents who have nowhere else to park.

They were especially concerned around the Cattle Market and Sheepy Road car parks in Atherstone, Pear Tree Avenue in Kingsbury and the car parks in Coleshill.

### **3.1.4 Workers**

A similar number of objections related to town centre workers, many of whom were highlighted as being on low levels of pay. Respondents calculated that it would cost up to £900 a year to park in town during the working week.

### **3.1.5 Railway Users**

Another third of the objections related to charging for parking to travel onwards by train.

Respondents questioned the Council's commitment to the Environment by charging rail users to park when they might find it cheaper to drive to Birmingham instead.

### **3.1.6 Leisure Centres**

A quarter of objections related to visitors to leisure centres and outdoor spaces asking about our commitment to healthy living by charging visitors to leisure centres and public open spaces.

### **3.1.7 Free Parking**

Around a third of objections stated that the one hour's free parking was not long enough, as this would not enable visitors sufficient time to visit the doctors, hairdressers, leisure centre, and leave sufficient time to browse or visit a café.

Many of those objecting to this suggested that a 2 or 3 hour free parking period would be better.

3.2 Questions have also been raised about season tickets and resident parking permits (for overnight stays in Council car parks where there is no private off-street or residential on-street parking available).

3.3 The majority of responses and objections received were from Atherstone but responses also came in from residents and businesses in Coleshill (mainly focussed on trade and the effect on residents), Dordon, Kingsbury (objecting to the proposals on the grounds of displaced parking, especially those that use the car park to visit Kingsbury Water Park, doctors, dentists, the church and community/youth centre), Polesworth (focussed on parking displacement,

especially in the area across the bridge, and for visitors to Abbey Green Park and Water Orton (which covered the issues of residents parking and the railway station).

## **4 Background and Justification**

4.1 In response to many of the issues and objections raised, the reasons for the introduction of charging are set out below and are in response to the continuous and increasing pressure on parking, particularly within Atherstone but also elsewhere within the Borough and the conclusions and recommendations drawn from various surveys and studies which have been carried out.

4.2 A major factor in the decision to implement the suggested changes is the introduction of Civil Parking Enforcement. From 1 February 2022 parking on the Borough's adopted roads and streets within all towns and villages across North Warwickshire will be managed and enforced by the Highways Authority, Warwickshire County Council. The new PPO and Schedule are designed to ensure that the impact of the implementation of Civil Parking Enforcement on on-street parking is managed through greater effective capacity in the Council's off-street car parks. The variable charging and waiting times set out in the revised schedule are designed to make sufficient parking capacity available at peak times in both short stay and long stay car parks.

4.3 As previously stated, owning and operating car parks places a significant budgetary strain on the Council's finances and, with the exception of a limited amount of fixed penalty notice (FPN) revenue (approx. £13,000), the Council has borne the full cost of maintaining its off-street car parks with no income to offset those costs. From February 2022 onwards, it is estimated that the cost of providing off-street parking across the Borough will be around £257,000 per annum. In order to safely maintain the Council's car parks, increase their capacity to cope with predicted housing growth, provide the necessary levels of enforcement and roll-out the required EV charging infrastructure as demand increases, income levels will need to rise to meet the level of expenditure. The Council's budgets are already under severe pressure and the Council can no longer afford to subsidise this service to the degree it has done to date.

## **5 Parking Surveys and Reviews**

5.1 The conclusions and recommendations drawn from various surveys and studies on off-street parking in North Warwickshire which have been carried out over previous years are set out below.

### **5.2 Euro Car Parks Capacity Survey – 2006**

5.2.1 This survey carried out by the Council's parking enforcement contractor was perhaps the most comprehensive surveys of off-street parking capacity in Atherstone undertaken being done over a whole week from Monday to Saturday (other surveys drop in on one or two days).

5.2.2 That survey found 31 free spaces in total at 11am on Monday, 9 at the same time on Tuesday, 30 on Wednesday, 19 on Thursday and 19 on Friday (out of 345 total spaces). Capacity was higher at the weekend (105 + NWBC staff parking). This means that mid-morning on average on weekdays, the Council's car parks in Atherstone were at 94% capacity. At times, Cattle Market and Sheepy Road were full on most weekdays. Woolpack Way (the main short stay car park) was also full at 10am on Tuesday and Wednesday morning. This survey reflects the experience of Council staff working and parking in the town during the week. Since the survey was carried out the Council has lost parking capacity at both Sheepy Road and (on weekdays), Woolpack Way.

### **5.3 Atherstone Town Centre Parking Review – 2009**

5.3.1 Recommended, as a medium-term objective, the introduction of on-street enforcement and off-street charging to influence parking behaviour, to make best use of resources and to ensure parking capacity. Other recommendations such as increased signage, coordination between on-street and off-street enforcement, free-periods for parking, permits for residents and discounted season tickets are all currently under consideration and their implementation is planned once the impact of the proposed measures is fully understood.

5.3.2 Peak weekday demand of 88% of off-street capacity was observed while on-street parking consistently exceeded capacity (and the designated waiting limits). 70 on-street spaces are provided in Atherstone. The review estimated 50 vehicles would effectively be displaced if current restrictions were enforced and 2/3 of parking acts on Long Street (weekday and weekends) were < 1 hour with half under 30mins.

5.3.3 Since the study was undertaken the town has lost off-street parking capacity at both Sheepy Road (long stay – affected all week) and Woolpack Way (short stay – weekdays only).

### **5.4 North Warwickshire Parking Review – 2016/17**

5.4.1 M-EC's report again produced a snapshot of capacity in Atherstone. Weekday demand was shown to exceed capacity at Cattle Market (something predicted by earlier reports). Memorial hall was, at times, at or near capacity midweek. Sheepy Road was at or near capacity weekdays and weekends as was Station Street. Woolpack Way was also near capacity in the week during the middle of the day. Woolpack Way (85% to 90% full). Woolpack Way, as the main short stay car park in the town would be expected to take the bulk of any displaced parking from Long Street once Civil Parking Enforcement is implemented.

5.4.2 The review concludes that there is sufficient overall off-street parking capacity. However, this is based on the average number of free spaces across the day. Capacity is much greater at 9am and after 4pm. The tables in the same report show that, at peak times during the day (between 10am and 2pm) the car parks have much higher occupancy levels.

## **5.5 Summary and Conclusions**

- 5.5.1 As numerous wider surveys on the provision of off-street parking have argued, parking is never free, regardless of whether the provider makes a charge or not. In addition reports on parking suggest it is the management of parking rather than charging which has the most impact on footfall in places. It is clear that the Council needs to increase the amount of off-street car parking capacity over time (especially long stay and not just in Atherstone) as well as installing the infrastructure which will enable the necessary shift to Ultra-Low and Zero Emission Vehicles. Increasing overall capacity and providing the necessary infrastructure requires investment. A proven way of increasing effective capacity through greater churn (ensuring cars are parked only for as long as they need to be) is through appropriate management of parking with charging being a key tool for this. Different tariffs for long stay and short stay support different parking needs. Parking income then provides the necessary funding to invest in improving the condition and capacity of the car parks along with better signage which in turn provides greater parking capacity in town centres which can support economic activity and accommodate residential and business growth in the Borough.

## **6 Task and Finish Group Recommendations and Subsequent Revisions**

- 6.1 The Parking Task and Finish Group met on 7 September, 2021 to consider the responses to the consultation on the proposed Parking Places Order and Schedule. The Group noted that the majority of objections raised, both formally and in discussion with local Members focussed on the length of time that parking would be permitted without charge in town centre car parks and the potential effect on local trade. The impact of the charges on local workers and the need to accommodate overnight parking for residents was also highlighted. While the Group recognised that charging was necessary to mitigate the impact of CPE and to secure greater investment in parking services, they made the following recommendations:

- That the originally proposed minimum charge-free period in all Council car parks should be reviewed in light of the consultation responses received.
- That ahead of implementation in February, 2022 options should be brought to Resources Board for the introduction of season tickets (with the specific needs of local residents, businesses and town centre workers addressed) and residents' off-street parking permits.
- That options to increase parking capacity in Atherstone, Coleshill and elsewhere should be brought to a future meeting of the Resources Board for further discussion.
- That a full review of waiting times and charges should be undertaken after the new scheme has been in place for twelve months; and

- That discussions should continue with Warwickshire County Council about the introduction of resident parking schemes and other measures designed to mitigate the impact of Civil Parking Enforcement.

6.2 Following the consultation process and taking in to account a variety of views expressed, the Parking Places Order and Schedule(s) have been amended (as set out in the appendices to this report). Most significantly:

- The charge-free period has been extended to two hours.
- Electric vehicles drivers will be required to pay for parking as well as for the charging of their vehicle.
- Season tickets for a period of three months (valid in any car park) will be available to purchase at an initial cost of £150 (a saving of up to one third of the full cost for long stay users).
- Blue badge holders will be able to park at no charge for up to three hours in any Council car park.

## 7 Report Implications

### 7.1 Finance and Value for Money Implications

7.1.1 The annual cost of operating the Council's off-street car parks is estimated to be £257,000 from February, 2022 onwards. While it is difficult to estimate the exact level of income from parking charges and parking fines, preliminary estimates anticipate that the originally proposed schedule of parking charges (with one hour free of charge) could raise around £166,000 per annum. This would produce an estimated net expenditure of £91,000 compared to the current budget of £107,610. In addition there could be parking penalties for non compliance estimated to be between £26,000 and £70,000. Extending the charge free period from one hour to two, is estimated to reduce the level of revenue income by around £95,000 per annum. It is likely that the amount raised from parking penalties would also fall as a result of the proposed changes.

7.1.2 To summarise, the impact of the options is set out in the table below:

	<b>Option 1 1 free hour £</b>	<b>Option 2 2 free hours £</b>
Expenditure	257,000	257,000
Income	(166,000)	(71,000)
<b>Net Cost</b>	<b>91,000</b>	<b>186,000</b>
Current budget provision	107,610	107,610
<b>(Saving) / Increase against current budget</b>	<b>(16,610)</b>	<b>78,390</b>

Both options would be improved by any income from penalty notices.

7.1.3 Further reports will be brought back to Board setting out the detail on how parking charges and enforcement will be implemented. Capital expenditure on parking improvements will be reported to Executive Board for approval in due course. The additional revenue implications of extending the charge-free period will be a growth item on the Council's current budget and will increase the Council's need to make budget reductions in other areas.

## **7.2 Legal and Risk Management Implications**

7.2.1 The proposed changes will tighten up some areas of enforcement and reflect present day and anticipated car park usage and management more accurately, thus reducing the risk of FPN appeals. In making the Order the Council must follow the procedure prescribed by the Road Traffic Regulation Act 1984 and regulations which, in particular require publicity and Consultation, including giving notice of the making of any Order in a local newspaper and displaying notices in areas affected by the Order prior to implementation.

7.2.2 As indicated above, the County Council must consent to the final content of any Order once approved by this Council and may give that consent subject to conditions or restrictions. If the County Council gives consent subject to any conditions or restrictions this Board will be able to reconsider whether it wishes to make the Order in light of the terms suggested.

7.2.3 If the Order is made then, following the recommended review after 12 months, any changes which relate solely to the charges set out in the Schedule may be made by a streamlined notice procedure. Any changes which related to the broader terms of the Order, e.g. the places to which it applied, would however, be subject to the full procedure followed in relation to introduction of the Order.

## **7.3 Environment, Climate Change and Sustainability Implications**

7.3.1 Private vehicle journeys will continue to be a mainstay of the region's transport system over the coming decade and beyond. A well-managed and adequately resourced parking service is essential in small market towns such as Atherstone, Coleshill and Polesworth and in their surrounding villages. Well managed off-street car parks should aim to provide sufficient parking capacity to reduce idling times and unnecessary or abortive journeys. Sufficient parking should also be provided near other, more sustainable transport hubs. Finally, the transition from ICE vehicles to EV and other ULEV (Ultra Low Emissions Vehicles) needs to be supported. The proposed PPO and associated Schedule(s) is designed to support these aims sustainably.

7.3.2 Several respondents have highlighted the fact that off-street long-stay parking charges will increase the cost to workers of parking in town. It is anticipated that the proposed charges will encourage such workers to look at other forms of transport, including public transport, walking and cycling which, where practicable, will have a beneficial effect on the Environment.

## 7.4 Safer Communities Implications

- 7.4.1 On street parking issues are regularly raised as a community safety issue to the North Warwickshire Safer Neighbourhood Team. The consultation about the proposed order and schedule may identify specific locations where there are pressures and concerns regarding parking.

The Contact Officer for this report is Richard Dobbs (719440)

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
1. Consultation responses	Collated by Keith Evans	Printed copies of all responses to the PPO consultation.	27.8.21
2. Atherstone Town Centre Parking Review	Colin Buchanan & Partners	Review of car parking capacity in Atherstone and future options.	12.01.2009
3. North Warwickshire Parking Review	M-EC	Further review of car parking capacity in Atherstone and future options.	Feb 2017
4. 16 Good Reasons for Parking Management	push-pull-parking.eu	Paper on Parking management and incentives as successful and proven strategies for energy-efficient urban transport.	Jan 2015

**NORTH WARWICKSHIRE BOROUGH COUNCIL**  
**(OFF-STREET PARKING PLACES) ORDER 2021**

North Warwickshire Borough Council ("the Council") in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended ("the 1984 Act") and under the Traffic Management Act 2004 as amended ("the 2004 Act") and of all other enabling powers, with the consent of Warwickshire County Council in accordance with Section 39(3) of the 1984 Act and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

**PART I**

**GENERAL**

Commencement and Citation

1. This Order shall come into operation on 1 November 2021 and may be cited as the North Warwickshire Borough Council (Off-Street Parking Places) Order 2021. The North Warwickshire Borough Council (Off-Street Parking Places Order) 2021 Plans ('the Plans') are incorporated into this Order.

Interpretation

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

"the Act" means the Road Traffic Regulation Act 1984;

"Bank Holiday" has the same meaning as described in the Banking and Financial Dealings Act 1971. The first Monday of May shall be treated as if it were a Bank Holiday for the purposes of this Order;

"Civil Enforcement Officer" means a person authorised by or on behalf of the Council to supervise the Parking Places and enforce the restrictions imposed by this Order;

"Charging Days", means those days specified at each Parking Place and specified in the Schedule of Parking Places other than Christmas Day and Easter Sunday;

"Charging Hours", means the period as specified at each Parking Place and specified in the Schedule of Parking Places on all Charging Days;

"Council" means North Warwickshire Borough Council;

"Disabled Person's Badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Person's) (England) Regulations 2000 or a badge having effect under those regulations as if it were a Disabled Person's Badge;

"Driver" in relation to a Parking Place means the person driving the Vehicle at the time it was left in the Parking Place;

"Expiry Time" is the time indicated on the Pay and Display Ticket or Voucher and is the time by which the parking period for which the parking ticket, Voucher or Electronic Payment period has expired;

"Electronic Payment" means a cashless parking payment method of charges for use in a Parking Place where facilities at that Parking Place allow payment by telephone or electronic means, allowing Vehicles of such classes, in such positions, on such days, during such hours and for such period as are specified at each Parking Place and specified in the Schedule of Parking Places to be parked for the period of time for which Electronic Payment has been made. A transaction fee (convenience charge) may be incurred in addition to the scale of current charges as specified on site and specified in the Schedule of Parking Places, for the use of this Electronic Payment method;

"Free Period" means a period of parking for which a Voucher (free parking ticket) must be obtained but for which there is no charge as specified on site and which is specified in the Schedule of Parking Places as being at a charge of £0.00;

"Goods Vehicle" has the same meaning as that ascribed to it in Schedule 6 of the Road Traffic Act 1988 ('RTA 1 988');

"Loading / Unloading" refers to when a Vehicle is parked wholly in a Parking Place or Parking Bay marked for that purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the Vehicle at premises adjacent to the Parking Place or Parking Bay and the Vehicle does not park for more than twenty minutes or such longer period as a duly authorised officer of the Council may authorise;

"Loading Bay" means an area of a Parking Place which is provided for the temporary parking of Vehicles of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by notices in the Parking Place for the purpose of Loading and Unloading of goods;

"Motor car" and "trailer" have respectively the same meaning as in Sections 136 and 137 of the Act;

"Motorcycle" refers to a solo motorcycle only and excludes any motorcycle which has a side-car or trailer, or which has more than two wheels;

"Owner" in relation to a Vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the Vehicle was left in the Parking Place in question;

"Parking Bay" means an area of a Parking Place, which is provided for the leaving of a Vehicle of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs in the Parking Place;

"Parking Permit" means a season ticket, contract permit, business permit employee permit or resident's permit of a type and design issued by the Council;

"Parking Place" means an area of land shown on the Plans and provided by the Council pursuant to Section 32(1) of the 1984 Act for the purpose of Vehicle parking and not closed (in part or in whole) by a notice sign or barrier erected or displayed thereon by authority of the Council in accordance with Article 12 of this Order;

"Parking Space" means any area of a parking place which is provided for the leaving of a vehicle and is indicated by markings on the surface of the parking place or by any such other suitable means as may be practicable;

"Parking Ticket" means a ticket receipt for payment of the appropriate parking charge (if any) purchased or obtained in accordance with Part III of this Order ('CHARGES FOR PARKING');

"Pay and Display" means for the purpose of this order a type of Parking Place where upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place a Pay and Display Ticket must be purchased or Electronic Payment must be made at the appropriate level of charge (if any) or a Voucher obtained for any Free Period in accordance with the scale of charges specified at that Parking Place and specified in the Schedule of Parking Places, as described in Article 22 of this Order;

"Pay and Display Ticket" means a ticket either purchased or obtained for a period and issued by a Ticket Machine located in the Parking Place in which the Vehicle has been left or a ticket issued by a person nominated by the Council and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 22 of this Order. The Pay and Display Ticket must be displayed prominently on the Vehicle, where appropriate, in accordance with Article 24 of this Order;

"Voucher" means a free parking ticket obtained for a Free Period and issued by a Ticket Machine located in the Parking Place in which the Vehicle has been left or a free parking ticket issued by a person nominated by the Council and valid for a parking period as specified at that Parking Place and specified in the Schedule of Parking Places in accordance with Article 22 of this Order. The Voucher must be displayed prominently on the Vehicle, where appropriate, in accordance with Article 24 of this Order;

"Penalty Charge" means the charge as defined in Band 2 of Schedule 1, Article 2 of The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

"Penalty Charge Notice" means a notice issued by or served by a Civil Enforcement Officer pursuant to the provisions of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

"Plans" means the North Warwickshire Borough Council Off-Street Parking Places Order 2021 Plans and numbered Plans annexed to this Order, which identify the Parking Places affected by this Order;

"Public Holiday" means Christmas Day, Good Friday and any other day designated by the Government as a public holiday;

"Relevant Position" means:

(a) in respect of a Vehicle displaying a valid Disabled Person's Badge

(i) in the case of a Vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the Vehicle; or

(ii) in the case of a Vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the Vehicle so that Part 1 of the badge is legible from outside the Vehicle

(b) in respect of a Vehicle displaying a Pay and Display Ticket, Voucher or Parking Permit

(i) the ticket, Voucher or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be easily seen and read, whereby the purchase amount, Expiry Time, date of purchase, and serial number should be visible on inspection from the front or side of the Vehicle; or

(ii) in the case of a Vehicle that is not fitted with a transparent windscreen, the ticket, Voucher or permit is exhibited on the front of the Vehicle facing forwards and clearly visible, whereby the purchase amount, Expiry Time, date of purchase, and serial number should be visible on inspection .

(c) in respect of a Vehicle displaying a Hackney Carriage plate

(i) the plate must be affixed to the Vehicle in accordance with the instructions given within the licence as issued by the Council

"Schedule of Parking Places" means a schedule of Parking Places, locations, times of use of the said Parking Places, parking tariffs and charges including Free Periods (if any) attached to this Order as may be amended or varied from time to time;

"Specified Proportion" means such proportion, applicable to all cases where a Penalty Charge Notice has been issued, as may be determined by the Local Authorities acting through the Joint Committee of the National Parking Adjudication Service or any such successor organisation carrying out the same function;

"Ticket Machine" means an apparatus of a type and design approved by the appropriate Minister for the purpose of this Order, being apparatus designed to indicate the time by a clock and to issue Parking Tickets or Vouchers each of which permits the parking of a vehicle in the Parking Place for the period specified thereon;

"Toddler" means a child at or below the age of 5 years;

"Vehicle" means any motorcar, Motorcycle or other mechanically propelled automobile.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order and any reference to a plan is a reference to the Plans incorporated into this Order.

4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment. Unless the context otherwise requires words denoting the singular shall include the plural and vice versa and words denoting persons shall include either gender, bodies corporate, unincorporated associations and partnerships.

5. The Interpretation Act 1978 shall apply for the interpretation of this Order.

## PART II

### DESIGNATION AND USE OF PARKING PLACES

#### Designation

6. Each area of land or buildings, as shown on the Plans, may be used, subject to the provisions of this Order, as a place to leave Vehicles of such classes, in such positions, on such days, during such hours and for such period as are specified at each Parking Place and specified in the Schedule of Parking Places.

#### Class and position of Vehicle

7. Where by notice at a Parking Place, a Parking Place is described as available for Vehicles of a specified class or Vehicles to be left in a specified location, no person shall permit a Vehicle to park in that Parking Place or as the case may be in any Parking Bay within the Parking Place:

- (i) unless it is of the specified class;
- (ii) that is parked beyond the Parking Bay markings; or
- (iii) in a position other than that specified.

#### Disabled Person's Parking Bays

8. No person shall cause or permit a Vehicle to park in a Parking Bay marked for disabled persons unless the Vehicle displays a valid Disabled Person's Badge in the Relevant Position and unless the Vehicle has been or is about to be used by the person(s) in respect of whom the Disabled Person's Badge has been issued either immediately before or immediately after the act of parking. Where required the Vehicle shall also display the Disabled Person's Badge clock in accordance with local regulations.

#### Parking Permit Bays

9. No person shall cause or permit a vehicle to park in a Parking Bay marked for Permit Holders Only unless the vehicle displays a valid Parking Permit issued by the Council in the relevant position.

#### Electric Vehicles Parking Bays

10. No person shall cause or permit a vehicle to park in a Parking Bay marked for Electric Vehicles Only unless the vehicle is an Electric Vehicle and is being charged at the time.

#### Parent and Toddler Parking Bays

11. No person shall cause or permit a vehicle to park in a Parking Bay marked for Parent and Toddlers only unless a toddler has been or will be a passenger in the vehicle immediately before or after the act of parking.

#### Taxi Ranks

12. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Taxis unless the Vehicle displays a valid Hackney Carriage plate issued by the Council in the relevant position.

#### Loading and Unloading Bays

13. No person shall cause or permit a Vehicle to park in a Parking Bay marked as a Loading Bay unless the Vehicle is being used for the purpose of Loading or Unloading.

#### Motorcycle parking bays

14. No person shall cause or permit a Vehicle to park in a Parking Bay marked for Motorcycles unless the Vehicle is a Motorcycle.

#### Power to close or suspend Parking Places

15. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed in a Parking Place:

(i) from closing a Parking Place or any part thereof for any period; and/or

(ii) from suspending by setting aside a Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations.

16. Any person closing or suspending the use of a Parking Place or any part thereof in accordance with the provisions of Article 12 shall thereupon place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or sign indicating that the use of that Parking Place or that part thereof is closed or suspended and that parking by Vehicles is prohibited.

17. No person shall cause or permit a Vehicle to be left in a Parking Place or any part thereof during such periods that the use of that Parking Place or that part thereof is closed or suspended or during such period as there is in or adjacent thereto a notice or sign placed by or on behalf of the Council in pursuance of Article 16.

#### Use of Parking Place

18. No person shall while a Vehicle is in a Parking Place use the Parking Place for any purpose other than parking the Vehicle, boarding or alighting from the Vehicle or taking articles out of or into the Vehicle and in particular but without prejudice to the generality of the foregoing provisions of this Article no person shall:

(i) Carry out any work of construction overhauling cleaning or repair in respect of the Vehicle except as may be necessary to enable the Vehicle to be moved from the Parking Place;

(ii) Use the parking place to make deliveries except where authorisation is granted by an authorised officer from the council

(iii) Use a Vehicle while it is in a Parking Place in connection with the sale of any article (including the Vehicle itself) to persons in or near the Parking Place or in connection with the selling or offering for hire of his or another person's skills or services in any capacity, unless with the express written permission of the Council;

(iv) Except with the permission of an authorised officer of the Council or Civil Enforcement Officer drive any Vehicle in a Parking Place other than for the purpose of leaving that Vehicle in the Parking Place or for the purpose of departing from the Parking Place in accordance with the provisions of this Order.

#### Maximum Period of Stay

19. Where a Parking Place is described by a notice displayed within it or specified in the Schedule of Parking Places as being available for use on specified days during specified hours or as being available for use for a maximum period of stay no person shall permit a Vehicle to park in that Parking Place on any day during such hours or for any period longer than that specified.

#### Period of no return

20. Where by notice on site or specified in the Schedule of Parking Places a Parking Place is described as having a period within which a Vehicle may not return no person shall permit a Vehicle to park in that Parking Place on any day during such period.

#### Parked with engine running

21. The Driver of a motor Vehicle using a Parking Place shall stop the engine as soon as the Vehicle is in position in the Parking Bay and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

Parked causing an obstruction

22. The Driver of a Vehicle using a Parking Place shall not park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

Payment

23. The Driver of a Vehicle using a Pay and Display Parking Place shall upon parking the Vehicle in the Parking Place purchase or obtain a Pay and Display Ticket at the appropriate charge (if any) or make payment by Electronic Payment method at the level of charges in accordance with the scale of current charges as specified on site and specified in the Schedule of Parking Places. Where a Free Period of parking is specified on site and specified in the Schedule of Parking Places for which a Voucher (free parking ticket) is required a Voucher must be obtained but for which there is no charge as specified on site and which is specified in the Schedule of Parking Places as being at a charge of £0.00.

**PART III**

**CHARGES FOR PARKING**

Pay and Display Parking Places

24. The Driver of a Vehicle using a Pay and Display Parking Place, or any Parking Bay within the Pay and Display Parking Place shall upon parking the Vehicle in a Parking Bay and prior to leaving the Parking Place purchase or obtain a Pay and Display Ticket at the appropriate level of charge (if any), make payment by Electronic Payment method or obtain a Voucher for the period required, all in accordance with the scale of charges as specified at that Parking Place and specified in the Schedule of Parking Places.

Means of payment

25. The charges (if any) referred to in Articles 23 and 24 shall be payable in the manner as specified at that Parking Place and specified in the Schedule of Parking Places or by payment to a person nominated by the Council.

Display of Parking Ticket or Voucher

26. Save for payment by Electronic Payment method, once a Vehicle has been parked within a Pay and Display Parking Place the Driver of the Vehicle shall:

- (i) ensure that a valid Pay and Display Ticket or Voucher has been obtained and is displayed at all times the Vehicle is parked, to cover the entire period that the Vehicle is parked in the Parking Place; and
- (ii) display the Pay and Display Ticket or Voucher issued at that Parking Place in the Relevant Position on the Vehicle in respect of which it was issued.

Article 26 (i) and (ii) does not apply if payment is made by the Electronic Payment method.

Validity of Pay and Display Tickets or Voucher

27. A Pay and Display Ticket or Voucher is not transferable from one Vehicle to another and on transfer the ticket ceases to be valid.

28. A Pay and Display Ticket or Voucher is valid only in the Pay and Display Parking Place in which it was issued. This is defined by the reference code of the Ticket Machine located in that Parking Place printed on the Pay and Display Ticket or Voucher.

#### Expiry of parking period

29. The expiry of the period of parking at a Parking Place (as specified at the Parking Place and specified in the Schedule of Parking Places) shall be indicated when there is exhibited on the Vehicle a Pay and Display Ticket or Voucher and the expiry date and time printed on the Pay and Display Ticket or Voucher is earlier than the date and time displayed on the clock of the issuing Ticket Machine or where payment has been made by the Electronic Payment method and the time period for which payment has been made and recorded is obtained and that period is earlier than the date and time displayed on the clock of the Ticket Machine .

#### No Pay and Display Ticket or Voucher displayed

30. If at any time while a Vehicle is left in a Pay and Display Parking Place no Pay and Display Ticket or Voucher is displayed on that Vehicle in the Relevant Position and in accordance with the provisions of Article 26, or where Electronic Payment is in operation and this system confirms non-payment or expiry of time purchased by Electronic Payment method it shall be deemed that the charge (if any) has not been paid or an appropriate Parking Ticket, Electronic Payment or Voucher has not been obtained.

31. If at the time when a Vehicle is left during the Charging Hours in a Pay and Display Parking Place and on the nearest Ticket Machine in that Parking Place there is a notice placed by any person duly authorised by the Council indicating that the said Ticket Machine is out of order then a Parking Ticket or Voucher shall be obtained from another Ticket Machine within the same Parking Place (where another Ticket Machine is so provided) or obtained from a person nominated by the Council to issue such tickets or by use of the Electronic Payment method (where this facility is available). Otherwise Article 32 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order, whether signed as such or not, or where no person has been so nominated by the Council.

32. Where no valid Pay and Display Ticket, Voucher or Electronic Payment method can be obtained and or displayed pursuant to the circumstances described in Article 31, Vehicles may be left in a Parking Place but may not be left for longer than the maximum period of parking in that Parking Place specified at that Parking Place and specified in the Schedule of Parking Places.

#### Parking Permits

33 . Parking Permits may be available from the Council at the appropriate fee, for a Vehicle of a specific class and for a specific Parking Place subject to terms and conditions determined by the Council.

34. The Driver shall abide by the terms and conditions stipulated by the Council for the use of the Parking Permit.

35. A Parking Permit is only valid in the Parking Place in respect of which it was issued and up to the date of expiry shown on the Parking Permit.

36. A Parking Permit remains the property of the Council and must be surrendered on request. In such instances where a refund fee is appropriate this will be provided in accordance with the Council's policies.

Display of Parking Permit

37. The Driver of the Vehicle shall display the Parking Permit in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is left in the Parking Place. Electronic permits are exempt from the need to display.

Replacement Parking Permits

38. Damaged or lost Parking Permits will be replaced on application to the Council and on payment of an administration fee. The damaged or lost Parking Permit will then become immediately invalid.

Surrender of Parking Permit

39. The holder of an annual Parking Permit shall on surrendering the Parking Permit be entitled to a refund based upon the number of complete months remaining un-expired from the beginning of the calendar month following the date on which the Council receives the surrendered Parking Permit. The refund will be one twelfth of the annual rate for each un-expired calendar month less an administration fee. The Council may accept the transfer of a Parking Permit to a new Vehicle on the surrender of the existing Parking Permit to the Council subject to the relevant administration fee and subject to the procedure stated in the conditions of holding such a permit.

Restriction on removal

40. When a Pay and Display Ticket, Voucher or Parking Permit has been exhibited on a Vehicle in the relevant position no person shall remove the Pay and Display Ticket, Voucher or Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

**PART IV**

**EXEMPTIONS FROM DAILY CHARGES**

41. No charge shall be payable in respect of:

~~(i) a Vehicle which displays in the relevant position a valid Disabled Person's Badge provided that the Vehicle has been used or is about to be used by the person(s) in respect of whom the badge is issued immediately before or immediately after the Vehicle was parked in the Parking Bay;~~

(ii) a Motorcycle which is left in a Parking Bay specified for such Vehicles (if any); or

(iii) a Vehicle left displaying in a relevant position a valid Parking Permit valid for that Parking Place; or

(iiiv) a vehicle left displaying in a Relevant Position a valid Voucher valid for that Parking Place in accordance with Article 26 and used in association with a Free Period.

(a) An exempt Vehicle may be left in a Parking Place without payment of a daily charge, but may not be left for longer than the maximum period of parking in that Parking Place specified at that Parking Place and specified in the Schedule of Parking Places.

Absence of Ticket Machine.

42. If at the time when a Vehicle is left in a Parking Place during the charging hours there is no Ticket Machine at the Parking Place, or all the Ticket Machines at that Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the Driver of that Vehicle shall be exempt from purchasing or obtaining a Pay and Display Ticket or Voucher. Otherwise Article 32 shall prevail where there is no Ticket Machine or all Ticket Machines are out of order whether signed as such or not.

**PART V**

**RELOCATION AND REMOVAL OF VEHICLES**

Emergencies

43 . A Civil Enforcement Officer, a person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any Vehicle left in a Parking Place.

Safe keeping

44. Any person removing a Vehicle from a Parking Place under Article 43 shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle.

**PART VI**

**LIABILITIES I PENALTIES**

Liability

45. The Council accepts no liability for the loss or damage to Vehicles or other property left in any of the Parking Places to which this Order applies.

Wilful damage

46. Any person who with intent to defraud interferes with the Ticket Machine or operates or attempts to operate it by the insertion of objects other than approved method of payment, shall be liable to prosecution.

**PART VII**

**CONTRAVENTION AND PENALTY CHARGE**

Contravention

47. If a Vehicle is parked in a Parking Place without complying with the requirements of this Order a contravention shall have occurred, and a Penalty Charge shall be payable. A Penalty Charge Notice showing the information required by the 2004 Act may then be issued by a Civil Enforcement Officer in accordance with the requirements of the 2004 Act or any subsequent applicable legislation.

Penalty Charge Notice

48. In the case of a Vehicle in respect of which the Penalty Charge may have been incurred it shall be the duty of a Civil Enforcement Officer to either hand the Penalty Charge Notice to the Driver of the

Vehicle, post the Penalty Charge Notice to the Owner of the Vehicle or attach the Penalty Charge Notice to the Vehicle in a conspicuous position.

#### Restriction on removal of notices

49. A Penalty Charge Notice attached to a Vehicle in accordance with Article 48 shall not be removed or interfered with except by or under the authority of:

- (i) the Owner or person in charge of the Vehicle;
- (ii) the Council for the Parking Place in which the Vehicle in question was found.

#### Manner of Payment of Penalty Charge

50. The Penalty Charge shall be paid in accordance with the instructions contained on the Penalty Charge Notice. The recipient of a Penalty Charge Notice may be eligible to make representations or appeal against the Penalty Charge Notice issued, as detailed on the Penalty Charge Notice and in accordance with the requirements and procedures set out in the 2004 Act and its subordinate legislation.

51. If the Driver fails to pay the Penalty Charge by the end of a period of 28 days a Notice to the Owner may be served. If the charge is then not paid within a further 28 days, the charge may be increased by 50% on the issue of a charge certificate in accordance with the provisions of Section 21 of Part 5 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007, or such other percentage increase of charge as may be determined by amendments to the legislation from time to time. Continued failure to pay the Penalty Charge may result in a judgement in the County Court against the Owner to enable the Council to recover the payments due.

52. Payment shall be received not later than 16:00 hours on the 28th day following the day on which such Penalty Charge was incurred or the 14th day following the day on which the Charge was incurred if the Specified Proportion is paid.

#### Indications as Evidence

53. The particulars given in the Penalty Charge Notice attached to a Vehicle in accordance with this Order shall be treated as evidence in any proceedings relating to failure to pay such Penalty Charge.

### **PART VIII**

#### **DISPOSAL OF VEHICLES**

##### Disposal of Vehicles abandoned in Parking Places

54. The Council may sell or otherwise dispose of a Vehicle which has been, or could at any time be, removed from a Parking Place pursuant to Article 41 if the Vehicle appears to have been abandoned, provided that this power of disposal shall not be exercisable unless the Council has taken such of the following steps as are applicable to the Vehicle in question, and there has elapsed a period of six weeks beginning with the taking of the first of those steps.

55. Where the Vehicle carries a registration mark the Council shall ascertain from the appropriate body the name and address of the person who is the Registered Keeper of the Vehicle pursuant to the Vehicles (Excise) Act 1971, unless the Council is satisfied that the true owner of the Vehicle has identified himself to them.

56. The Council shall, where by virtue of Articles 55, 57 and 58, it is aware of the name and address of a person who it appears may be the Owner of the Vehicle, send a notice to that person at that address stating that it is the intention of the Council to sell or otherwise dispose of the Vehicle (which shall be sufficiently described in the notice) on or after a specified date (which shall not be less than two weeks from the date of the notice and in any event not earlier than six weeks from the date of the first step taken by the Council under this Part of this Order) unless it is in the meantime removed by or on behalf of that person from such place as is specified by the Council in the said notice or from such place as may be subsequently notified in writing by the Council to that person.

57. If any person to whom a notice is sent in accordance with Article 56 informs the Council of the name and address of some other person who he/she alleges may be the Owner of the Vehicle, a notice stating the particulars mentioned in the last preceding Article shall be sent to that other person and to any further person who the Council may in consequence of the sending of the notice to the said other person be led to believe may be the Owner of the Vehicle.

58. Where a Vehicle does not carry a registration mark the first step to be taken by the Council shall be to apply in writing to the Chief Officer of Police in whose area the Parking Place is situated enquiring whom that officer considers is the Owner of the Vehicle and the address of that person.

59. The Council shall then make such further enquiries as to ownership as it thinks fit.

60. Upon the sale of a Vehicle by the Council, the Council shall apply the proceeds of sale in or towards the satisfaction of any costs incurred by it in connection with the disposal thereof and of any charge or payment to which it is entitled.

61. In the event that any such costs incurred by the Council in connection with the disposal of the Vehicle are not satisfied by virtue of the last preceding Article, the Council may recover those costs from the person who was the Owner of the Vehicle immediately before it was removed from the Parking Place, provided that that person was sent by the Council a notice under Article 56.

62. Any sums received by the Council on the sale of a Vehicle shall, after deducting any sum applied by virtue of Article 60, be payable within a period of one year from receipt hereof to any person to whom, but for such sale, the Vehicle would have belonged and insofar as any such sums are not claimed within the said period they shall be paid into the General Rate Fund of the Council.

63. Where under the foregoing provisions of this Order a notice is required to be or may be sent to a person the notice shall be sent by recorded delivery post.

#### **PART IX**

#### **REVOCATIONS**

##### Revocations

64. The Borough of North Warwickshire (Off Street Parking Places) Order 2015 is hereby revoked.

#### **PART X**

#### **SCHEDULE OF PARKING PLACES**

**SCHEDULE 1**

**Long Stay Car Parks**

Column 1 Name of Parking Place	Column 2 Position in which vehicle may wait	Column 3 Classes of vehicle	Column 4 Days of operation of parking place	Column 5 Charging Hours	Column 6 Maximum period for which vehicle may wait	Column 7 Scale of charging
L1 Council House Woolpack Way ATHERSTONE	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	(Staff Permit Holders) Monday to Friday (Public) Saturday  Sunday (Public) Saturday  Sunday	All hours  All hours  All hours  All hours  All hours	24 hours  14 hours  24 hours  14 hours  24 hours	£0.00  £0.00 £0.00 £2.00 £2.50 £3.00  £0.00  £0.00 £2.50 £3.00  £0.00
L2 Council House South Street ATHERSTONE	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	(Staff Permit Holders) Monday to Friday (Public) Saturday  Sunday (Public) Saturday  Sunday	All hours  At any hour  At any hour  At any hour  At any hour	24 hours  14 hours  24 hours  14 hours  24 hours	£0.00  £0.00 £0.00 £2.00 £2.50 £3.00  £0.00  £0.00 £2.50 £3.00  £0.00

L3 Cattle Market ATHERSTONE	<p>Within the spaces marked by white lines on the surface</p> <p>AND</p> <p>Within the spaces marked for use by Electric Vehicles</p> <p>Within the spaces marked for holders of a disabled person's badge</p>	<p>Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg</p>	Monday to Saturday	0800-1800	10 hours	<p>Up to 1 hour</p> <p>Up to 2 hours</p> <p>Up to 3 hours</p> <p>Up to 4 hours</p> <p>More than 4 hours</p>	<p>£0.00</p> <p>£0.00</p> <p>£2.00</p> <p>£2.50</p> <p>£3.00</p> <p>£0.00</p> <p>£0.00</p>
			Sunday	At any hour	24 hours		
			Monday to Saturday	0800-1800	10 hours	<p>Up to 3 hours</p> <p>Up to 4 hours</p> <p>More than 4 hours</p>	<p>£0.00</p> <p>£2.50</p> <p>£3.00</p> <p>£0.00</p>
			Sunday	At any hour	24 hours		
L4 Memorial Hall ATHERSTONE	<p>Within the spaces marked by white lines on the surface</p> <p>AND</p> <p>Within the spaces marked for use by Electric Vehicles</p> <p>Within the spaces marked for holders of a disabled person's badge</p>	<p>Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg</p>	Monday to Saturday	0800-1800	4 hours	<p>Up to 1 hour</p> <p>Up to 2 hours</p> <p>Up to 3 hours</p> <p>Up to 4 hours</p> <p>No return within 2 hours</p>	<p>£0.00</p> <p>£0.00</p> <p>£1.50</p> <p>£2.00</p> <p>£0.00</p> <p>£0.00</p>
			Sunday	At any hour	24 hours		
			Monday to Saturday	0800-1800	4 hours	<p>Up to 3 hours</p> <p>Up to 4 hours</p> <p>No return within 2 hours</p>	<p>£0.00</p> <p>£2.00</p> <p>£0.00</p>
			Sunday	At any hour	24 hours		

L5 Sheepy Road ATHERSTONE	Within the spaces marked by white lines on the surface  AND Within the spaces marked for use by Electric Vehicles  Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday	0800-1800	10 hours	Up to 1 hour Up to 2 hours Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £0.00 £2.00 £2.50 £3.00
			Sunday	1800-0800 At any hour	14 hours 24 hours		£0.00 £0.00
			Monday to Saturday	0800-1800	10 hours	Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £2.50 £3.00
			Sunday	1800-0800 At any hour	14 hours 24 hours		£0.00 £0.00
			Monday to Saturday	At any hour	14 hours		£0.00
L6 Carlyon Road (Sandwich Factory) ATHERSTONE	Within the spaces marked by white lines on the surface  AND Within the spaces marked for use by Electric Vehicles  Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday	At any hour	14 hours		£0.00
			Sunday	At any hour	24 hours		£0.00
			Monday to Saturday	At any hour	14 hours		£0.00
			Sunday	At any hour	24 hours		£0.00
			Monday to Saturday	At any hour	14 hours		£0.00

L7 Bus Station Station Street ATHERSTONE	In front of bus stands or elsewhere within the bus station, provided that no obstruction is caused to other public service vehicles	Public Service Vehicles	Monday to Sunday	At any hour	3 hours	£0.00
L8 Church Hill COLESHILL	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday  Monday to Saturday  Sunday	0800-1800  1800-0800 At any hour  0800-1800  1800-0800 At any hour	10 hours  14 hours 24 hours  10 hours  14 hours 24 hours	£0.00 £0.00 £2.00 £2.50 £3.00  £0.00 £0.00  £0.00 £2.50 £3.00  £0.00 £0.00
L9 Parkfield Road COLESHILL	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday	0800-1800  1800-0800 At any hour	10 hours  14 hours 24 hours	£0.00 £0.00 £2.00 £2.50 £3.00  £0.00 £0.00

	Within the spaces marked for holders of a disabled person's badge		Monday to Saturday	0800-1800  1800-0800 At any hour	10 hours  14 hours 24 hours	Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £2.50 £3.00  £0.00 £0.00
L10 Long Street DORDON	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles AND Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Sunday	At any hour	14 hours		£0.00
L11 Derek Avenue DORDON	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Sunday	At any hour	24 hours		£0.00

	AND Within the spaces marked for holders of a disabled person's badge								
L12 Pear Tree Avenue KINGSBURY	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday  Monday to Saturday  Sunday	0800-1800  1800-0800 At any hour  0800-1800  1800-0800 At any hour	10 hours  14 hours 24 hours  10 hours  14 hours 24 hours	Up to 1 hour Up to 2 hours Up to 3 hours Up to 4 hours More than 4 hours  Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £0.00 £2.00 £2.50 £3.00  £0.00 £0.00  £0.00 £2.50 £3.00  £0.00 £0.00		
L13 Birmingham Road WATER ORTON	Within the spaces marked by white lines on the surface AND Within the spaces marked for use by Electric Vehicles	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday	0800-1800  1800-0800 At any hour	10 hours  14 hours 24 hours	Up to 1 hour Up to 2 hours Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £0.00 £2.00 £2.50 £3.00  £0.00 £0.00		

	Within the spaces marked for holders of a disabled person's badge		Monday to Saturday	0800-1800	10 hours	Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £2.50 £3.00
	Within the spaces marked SHORT STAY ONLY	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Sunday	1800-0800 At any hour	14 hours 24 hours		£0.00 £0.00
			Monday to Saturday	0800-1800	2 hours 14 hours 24 hours	Up to 1 hour Up to 2 hours	£0.00 £0.00
			Sunday	1800-0800 At any time			£0.00 £0.00
L14 Grendon Road POLESWORTH	Within the spaces marked by white lines on the surface  AND Within the spaces marked for use by Electric Vehicles	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday	0800-1800	10 hours	Up to 1 hour Up to 2 hours Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £0.00 £2.00 £2.50 £3.00
			Sunday	1800-0800 At any hour	14 hours 24 hours		£0.00 £0.00
	Within the spaces marked for holders of a disabled person's badge		Monday to Saturday	0800-1800	10 hours	Up to 3 hours Up to 4 hours More than 4 hours	£0.00 £2.50 £3.00
			Sunday	1800-0800 At any hour	14 hours 24 hours		£0.00 £0.00

**SCHEDULE 2**

**Short Stay Car Parks**

Column 1 Name of Parking Place	Column 2 Position in which vehicle may wait	Column 3 Classes of vehicle	Column 4 Days of operation of parking place	Column 5 Charging Hours	Column 6 Maximum period for which vehicle may wait	Column 7 Scale of charging
S1 Station Street (rear of bus station) ATHERSTONE	Within the spaces marked by white lines on the surface  AND  Within the spaces marked for use by Electric Vehicles	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday	0800-1800  1800-0800  All hours	1 hour  14 hours  24 hours	No return within 2 hours  £0.00  £0.00  £0.00
S2 Woolpack Way ATHERSTONE	Within the spaces marked by white lines on the surface  AND  For spaces marked for use by Electric Vehicles  Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday	0800-1800  1800-0800  All hours	2 hours  14 hours 24 hours  3 hours  14 hours 24 hours	Up to 1 hour Up to 2 hours No return within 2 hours  £0.00 £0.00  £0.00 £0.00  Up to 3 hours  £0.00  £0.00 £0.00

**SCHEDULE 2**

**Short Stay Car Parks**

<u>Column 1</u> Name of Parking Place	<u>Column 2</u> Position in which vehicle may wait	<u>Column 3</u> Classes of vehicle	<u>Column 4</u> Days of operation of parking place	<u>Column 5</u> Charging Hours	<u>Column 6</u> Maximum period for which vehicle may wait	<u>Column 7</u> Scale of charging
S3 Station Street Access Road ATHERSTONE	Within right hand lane and layby marked TAXIS ONLY  Loading bay marked LOADING/ UNLOADING ONLY	Hackney Carriages  All vehicles loading or unloading	Monday to Sunday  Monday to Sunday	At any hour  At any hour	1 hours  30 minutes	£0.00  £0.00
S4 Rickyard Close POLESWORTH	Within the spaces marked by white lines on the surface  AND  Within the spaces marked for use by Electric Vehicles  Within the spaces marked for holders of a disabled person's badge	Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg	Monday to Saturday  Sunday  Monday to Saturday  Sunday	0800-1800 1800-0800 At any hour  0800-1800 1800-0800 At any hour	2 hours 14 hours 24 hours  3 hours 14 hours 24 hours	£0.00 £0.00 £0.00  £0.00 £0.00 £0.00

<p>S5 Packington Lane Leisure Centre COLESHILL</p>	<p>Within the spaces marked by white lines on the surface</p> <p>AND</p> <p>Within the spaces marked for use by Electric Vehicles</p> <p>Within the spaces marked for holders of a disabled person's badge</p>	<p>Motor cars constructed solely for the carriage of passengers and their effects and adapted to carry not more than seven passengers exclusive of the driver, dual purpose vehicles of unladen weight not exceeding 3050kg, motor cycles and motor cycle combinations, other vehicles of an unladen weight not exceeding 410kg</p>	<p>Monday to Sunday</p>	<p>At any hour</p>	<p>3 hours</p>	<p>£0.00</p>
			<p>Monday to Sunday</p>	<p>At any hour</p>	<p>3 hours</p>	<p>£0.00</p>

**SCHEDULE 3**

**Season Tickets**

Car Park Season Tickets	Period of season ticket	Charge
For use in all Short Stay and Long Stay car parks	3 Monthly	£150

## Agenda Item No 11b (Appendix B)

### Agenda Item No 5

#### Executive Board

22 November 2021

#### Report of the Chief Executive

#### Calendar of Meetings 2022/23

### 1 Summary

1.1 The purpose of this report is to approve a calendar of meetings for 2022/23.

#### **Recommendation to the Council**

**That the draft calendar of meetings for 2022/23 as submitted at Appendix A to the Chief Executive's report be approved.**

### 2 Report

... 2.1 A draft calendar of meetings for 2022/23 is submitted as Appendix A.

2.2 Points to note on the calendar are as follows:-

- a The majority of all main Board meetings will meet on a Monday. Meetings of the Full Council continue to be held on Wednesdays;
- b Planning and Development Board to meet once each month;
- c The Resources Board, the Community and Environment Board and the Executive Board to meet at least once a cycle;
- d A meeting of the Special Sub-Group has been scheduled each month (except in April 2023);
- e A meeting of each Licensing Committee has been set for the end of January and additional meetings will be arranged on an ad hoc basis;
- f A number of meetings of the Safer Communities Sub-Committee have been set and the Local Development Framework Sub-Committee will be arranged on an ad-hoc basis; and
- g A meeting of the Executive Board and Full Council is scheduled on 20 July 2022. It is needed to consider the audited accounts before the end of July and is an annual requirement.

- h There will be a Full Council meeting on 19 April 2023, so that minutes from Board / Committees held in the cycle of meeting during late February, March and early April can be considered prior to the Borough Council elections to be held on 4 May 2023. The Annual Council meeting will then be held on 17 May 2023 to appoint the Mayor and Deputy Mayor and make appointments to Boards / Committees and Outside Bodies etc for the ensuing year.

### 3 Report Implications

- 3.1 There are no report implications.

The Contact Officer for this report is Amanda Tonks (719221).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date
None			

**NORTH WARWICKSHIRE BOROUGH COUNCIL  
DRAFT MEETINGS TIMETABLE – 2022/23**

	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23
1					PLAN			SSG						BHOL
2		BHOL	BHOL				PLAN			BHOL			PLAN	
3							SSG							
4		COUNCIL		PLAN					PLAN					Elections
5				SSG					SSG					
6			PLAN			PLAN					PLAN			
7			SSG			RES		RES				SSG	BHOL	
8														
9		PLAN			SSG					PLAN				
10		SSG					CEB			SSG			BHOL	
11	PLAN													
12	SSG					SSG					EXB	RES		
13			EXB								SSG			
14								SAC						
15	BHOL													
16		CEB								CEB		SAC		
17														COUNCIL
18	BHOL													
19						EXB							COUNCIL	
20				EXB/COUNCIL										
21								EXB				EXB		
22			COUNCIL								COUNCIL			PLAN
23										RES				SSG
24										LIC				
25				CEB										
26									BHOL					
27			SAC						BHOL		CEB			
28						COUNCIL								
29					BHOL									BHOL
30								COUNCIL						
31							PLAN							

EXB - Executive Board  
RES - Resources Board  
CEB - Community and Environment Board  
PLAN - Planning and Development Board  
LIC - Licensing Committee (Alcohol & Gambling Committee & Taxi & General Committee)  
SAC - Safer Communities Sub-Committee  
SSG - Special Sub-Group  
LDF - Local Development Framework Sub-Committee

**Agenda Item 6**

**Executive Board**

**22 November 2021**

**Report of the Corporate Director -  
Resources**

**Budgetary Control Report 2021/22  
Period Ended 31 October 2021**

**1 Summary**

- 1.1 The report covers revenue expenditure and income for the period from 1 April 2021 to 31 October 2021. The 2021/22 budget and the actual position for the period, compared with the estimate at that date, are given, together with an estimate of the out-turn position for services reporting to this Board.

**Recommendation to Council**

**To consider if any further information is required.**

**2 Introduction**

- 2.1 Under the Service Reporting Code of Practice (SeRCOP), services should be charged with the total cost of providing the service, which not only includes costs and income directly incurred, but also support costs relating to such areas as finance, office accommodation, telephone costs and IT services. The figures contained within this report are calculated on this basis.

**3 Overall Position**

- 3.1 Net expenditure for those services that report to the Executive Board as at 31 October 2021 is £359,777 compared with a profiled budgetary position of £436,874; an underspend of £77,097. Appendix A to this report provides details of the profiled and actual position for each service reporting to this Board, together with the variance for the period.

- 3.2 Where possible, the budget to date figure has been calculated with some allowance for seasonal variations, in order to enable a better comparison with actual figures.

**3.3 Outreach and Access to Services**

- 3.3.1 There is a general underspend on internet access and phone costs of the outreach hubs against the budget.

### 3.4 Corporate Communication

3.4.1 The production of North Talk has been suspended during the pandemic, leading to an underspend against the budget.

### 3.5 North Warwickshire Local Development Framework

3.5.1 A delay in the timing of the work on the Local Development Plan as a result of the pandemic, has given an underspend against the budget.

## 4 Risks to the Budget

4.1 The key risks to the budgetary position of the Council from services under the control of this Board are:-

	Likelihood	Potential impact on Budget
The Local Plan process is becoming more costly due to the Duty to Cooperate and also needs to be repeated more often as national guidance requires.	High	High
The Emergency Planning budget may be insufficient to cover the costs of any major local emergency.	Low	High

## 5 Estimated Out-turn

5.1 Members have requested that Budgetary Control Reports provide details on the likely out-turn position for each of the services reporting to this Board. The anticipated out-turn for this Board for 2021/22 is £749,550, the same as the Original Budget.

5.2 The figures provided above are based on information available at this time of the year and are the best available estimates for this Board and may change as the financial year progresses. Members will be updated in future reports of any changes to the forecast out turn.

## 6 Report Implications

### 6.1 Finance and Value for Money Implications

6.1.1 Income and Expenditure will continue to be closely managed and any issues that arise will be reported to this Board for comment at future meetings.

### 6.2 Environment and Sustainability Implications

6.2.1 The Council has to ensure that it adopts and implements robust and comprehensive budgetary monitoring and control, to ensure not only the availability of services within the current financial year, but in future years.

The Contact Officer for this report is Nigel Lane (719371).

### **Background Papers**

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

<b>Background Paper No</b>	<b>Author</b>	<b>Nature of Background Paper</b>	<b>Date</b>
Executive Board – Agenda item 10	Corporate Director - Resources	General Fund Revenue Estimates and Setting the Council 2021-22	15 <sup>th</sup> Feb 2021
Executive Board – Agenda Item 6	Corporate Director - Resources	Financial Strategy 2021 -2026	20 <sup>th</sup> September 2021

## North Warwickshire Borough Council

## Executive Board

## Budgetary Control Report 2021/22 as at 31 October 2021

Description	Approved Budget 2021/22	Profiled Budget October 2021	Actual October 2021	Variance	Comments
	£	£	£	£	
Housing Strategic Service Review	32,190	18,778	18,778	-	
Outreach and Access to Services	139,720	85,505	82,530	(2,975)	Comment 3.3
Corporate Communications	64,740	34,916	26,955	(7,961)	Comment 3.4
Community Strategy	134,200	78,283	77,391	(892)	
Emergency Planning	50,100	27,580	25,632	(1,948)	
N.Warks Local Development Framework	325,610	190,068	126,747	(63,321)	Comment 3.5
Support to Parishes	2,990	1,744	1,744	-	
<b>Total Expenditure</b>	<b>749,550</b>	<b>436,874</b>	<b>359,777</b>	<b>(77,097)</b>	

**Agenda Item No 10**

**Executive Board**

**22 November 2021**

**Report of the Corporate Director  
Resources**

**Appointment of External Auditors**

**1 Summary**

- 1.1 This report sets out proposals for appointing the external auditor for the audit of the Council's accounts for the five year period from 2023/24.

**Recommendation to the Council**

**To accept the invitation from Public Sector Audit Appointments to opt into the sector-led option for the appointment of external auditors for five financial years from 1 April 2023.**

**2 Introduction**

- 2.1 The external auditor for the audit of the Council's accounts for 2023/24 has to be appointed before the end of December 2022. The Council has a choice about how to make that appointment, so the decision-making process needs to begin.

**3 Background**

- 3.1 The Local Audit and Accountability Act 2014 sets out a framework which requires authorities to appoint their own auditors for a maximum period of five years.
- 3.2 Authorities have some flexibility around how they appoint their Auditor and they can:
- Appoint their own Auditor, following the procedures set out in the Act;
  - Join with other bodies to procure an Auditor, following the procedures in the Act; or
  - Opt into the national auditor appointment scheme administered by a body designated by the Secretary of State as the 'appointing person'.
- 3.3 If the Council chooses to appoint its own Auditor, it would need to establish its own auditor panel with an independent chair and independent members to oversee a local auditor procurement and the ongoing management of the audit contract.

- 3.4 Public Sector Audit Appointments Ltd (PSAA), a company established by the Local Government Association (LGA), provides a national option to join a collective scheme for auditor appointments. The Secretary of State has confirmed PSAA in the role of the appointing person for eligible principal bodies for the period commencing April 2023.
- 3.5 The current auditor appointment arrangements cover the period up to and including the audit of the 2022/23 accounts. This Council opted into the 'appointing person' national auditor appointment arrangements established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.
- 3.6 PSAA is a not-for-profit company, which already administers the majority of current audit contracts. PSAA is staffed by a team with significant experience in appointing auditors, managing contracts with audit firms, and setting and determining audit fees. Their aim is for all opted in bodies to receive an audit service of the required quality at a realistic market price, which represents value for money. Feedback from the sector and learning from the 2018 experience has been used by PSAA to refine their scheme prospectus and procurement strategy.
- 3.7 The national scheme timetable for appointing auditors from 2023/24 means PSAA have issued a formal invitation to local authorities to opt into these arrangements. PSAA have specified the five consecutive financial years beginning 1 April 2023 as the compulsory appointing period for the purposes of the regulations, which govern the national scheme.
- 3.8 A decision to become an opted-in authority must be taken in accordance with the Regulation 19, that is by the members of an authority meeting as a whole (i.e. Full Council or equivalent). The closing date to give notice to PSAA of the authority's acceptance of the invitation is 11 March 2022.

#### **4 Considerations**

- 4.1 The appointed auditor will undertake the statutory audit of accounts and best value assessment of the Council in each financial year, in accordance with all relevant codes of practice and guidance. The appointed auditor is also responsible for investigating questions raised by electors and has powers and responsibilities in relation to Public Interest Reports and statutory recommendations. The auditor must act independently of the Council and the main purpose of the procurement legislation is to ensure that the appointed auditor is sufficiently qualified and independent.
- 4.2 The auditor must be registered to undertake local audits by the Financial Reporting Council (FRC) and employ authorised Key Audit Partners to oversee the work. There is currently a shortage of registered firms and Key Audit Partners. Councils have very limited influence over the nature of the audit services they are procuring, the nature and quality of which are determined or overseen by third parties.

- 4.3 Since audit contracts were last awarded in 2017, the audit market has changed considerably following a series of failures in the private sector. There has been a focus on audit quality, requiring additional work to gain deeper levels of assurance. This has put pressure on audit firms and has been accentuated by growing auditor recruitment and retention challenges. Increasing complexity in local government financial statements, as authorities explore innovative ways to fund services have also added to current pressures. Similar challenges in other sectors have led to increased fees and disappointing responses to tender invitations over the last two years.
- 4.4 For the five-year period commencing in 2018, 98% of eligible bodies made the choice to opt-in to the national scheme. Given the very challenging local audit market, it is considered that the Council will again be best served by opting to join the national scheme.
- 4.5 There are a number of benefits in joining a national scheme:
- It avoids the need to run our own procurement process, allowing staffing resources to focus on Council priorities;
  - It avoids the necessity of establishing and managing our own auditor panel, saving on staff time and resource;
  - It is likely to provide the best opportunity to secure the appointment of a qualified, registered auditor. There are only nine accredited local audit firms, and a local procurement would be drawing from the same limited supply of auditor resources as PSAA's national procurement; and
  - Collective procurement reduces costs for individual authorities and a national scheme is likely to be more competitively priced.

## **5 Next Steps**

- 5.1 Following the receipt of an opt-in notice, PSAA will request information on any joint working arrangements relevant to the Council's auditor appointment, and any potential independence matters which may need to be taken into consideration when appointing our auditor. This would allow us to highlight any joint working arrangements, such as in the Revenues and Benefits area.
- 5.2 PSAA expect to formally commence the procurement of audit services in early February 2022. If the Council decides not to accept the invitation to opt in by the closing date, we may subsequently make a request to opt in, but only after 1 April 2023. This is later than the required date for awarding the audit.
- 5.3 In this late scenario, PSAA would be required to consider such a request under the Regulations and agree to it unless there were reasonable grounds for refusal. The Regulations allow PSAA to recover their reasonable costs for making arrangements to appoint a local auditor in these circumstances, for example if they need to embark on a further procurement or enter into further discussions with their contracted firms.

## **6 Report Implications**

### **6.1 Finance and Value for Money Implications**

- 6.1.1 There is a risk that current audit fee levels could increase when the current contract ends, as the scope of audit has increased, requiring more audit work. There are also concerns about capacity and sustainability in the local audit market.
- 6.1.2 Opting into a national scheme provides the best opportunity to ensure fees are as realistic as possible, while ensuring the quality of audit is maintained. Joining a national scheme should result in a lower audit fee than individual purchase.
- 6.1.3 If the national scheme is not used, resource will need to be diverted to establish an auditor panel and conduct a local procurement exercise.

### **6.2 Legal, Data Protection and Human Rights Implications**

- 6.2.1 Section 7 of the Local Audit and Accountability Act 2014 requires a relevant Authority to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year.
- 6.2.2 Section 8 governs the procedure for appointment including that the Authority must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor however, if an appointment is made via the national scheme as proposed, this requirement is removed. This section also requires the Council to publicise the appointment of its Auditor once made.
- 6.2.3 Section 12 makes provision for the failure to appoint a local auditor. The Authority must immediately inform the Secretary of State who may direct the Council to appoint a specific auditor or appoint a local auditor on behalf of the Council.
- 6.2.4 Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This gives the Secretary of State the ability to enable a sector-led body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.

### **6.3 Risk Management Implications**

- 6.3.1 The principal risks are that the Council fails to appoint an auditor in accordance with the requirements and timing specified in local audit legislation and does not achieve value for money on the appointment process.
- 6.3.1 These risks are considered best mitigated by opting into the sector-led approach through PSAA.

## 6.4 Links to Council's Priorities

- 6.4.1 The proposed approach is in line with the Council's aim to be an efficient and lean organisation.

The Contact Officer for this report is Sue Garner (719374).

### Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

**Agenda Item No 12**

**Executive Board**

**22 November 2021**

**Report of the Chief Executive**

**Board Membership Changes**

**1 Summary**

- 1.1 This report asks the Board to recommend changes to the membership of the Health and Wellbeing Working Party.

**Recommendation to Council**

**That the changes to the membership of the Health and Wellbeing Party set out in the report be approved.**

**2 Report**

- 2.1 The Conservative Group have asked for some changes to the membership of Health and Wellbeing Party.
- 2.2 Councillor McDonald is to come off the Party to be replaced by Councillors Hancocks. It is proposed that Councillor M Humphreys becomes the Chairman of the Party, with Councillor S Smith as the Vice Chairman.

The Contact Officer for this report is Steve Maxey (719438).